

ALASKA LEGISLATURE

HOUSE and SENATE FINANCE COMMITTEE FILES, 2005-2006 3055

State	Entities Covered	Information Covered	Notification Requirements	Further Duties	Enforcement	Exemptions	Private Right of Action
New York	Persons who conduct business in the state and own or license computerized data containing private information, as well as state or local government agencies	Personal information: Name + SSN, DL, account number/identifier with access code	Notification without unreasonable delay to individuals whose unencrypted, or encrypted with acquired encryption key computerized data containing private information breached	Notification must include contact information of entity suffering breach and a description of the categories of information exposed by the breach. Also require notification to State AG, Consumer Protection Board, and the State Office of Cyber Security and Critical Infrastructure Coordination. Entity suffering breach must coordinate with CRAs if breach includes information on at least 5,000 individuals.	State AG	None	No
North Carolina	Persons who conduct business in the state and owns or licenses computerized data containing personal information	Personal information: Name + SSN, DL, account number, password/PIN that would provide access to a consumer's financial account or resources, digital signatures.	Notification without unreasonable delay to individuals whose unencrypted, un-redacted, or encrypted with acquired encryption key computerized data containing personal	Notification must include: description of breach incident, type of personal information that was breached, contact information for further information. If breach	State AG	Any financial institution subject to and in compliance with Federal Interagency Guidance Response Programs for Unauthorized	No

		biometric data	information breached and illegal use of personal information has occurred or is reasonably likely to occur, or creates a material risk of harm to the consumer	includes information on at least 1,000 individuals, Consumer Protection Division of the Attorney General's Office and CRAs must be notified		Access to Consumer Information and Customer Notice exempted	
North Dakota	Persons who conduct business in the state and owns or licenses computerized data containing personal information	Personal information: Name + SSN, DL, account number/identifier with access code, date of birth, maiden name of individual's mother, employee number, digital signature	Notification without unreasonable delay to individuals whose unencrypted computerized data containing personal information breached	None	State AG	Any financial institution subject to and in compliance with Federal Interagency Guidance Response Programs for Unauthorized Access to Consumer Information and Customer Notice exempted	No
Ohio	Persons who conduct business in the state, as well as state or local government agencies	Personal information: Name + SSN, DL, account number/identifier with access code	Notification without unreasonable delay (no later than 45 days following discovery of the breach) to individuals whose unencrypted, un-redacted computerized data containing personal information breached and is reasonably believed will cause a risk of ID theft or fraud	Entity suffering breach must coordinate with CRAs if breach includes information on at least 1,000 individuals.	State AG	Financial institutions subjected to federal law requiring notification of security breach incidents exempted. Exempts entities regulated by sections 1171 to 1179 of Social Security Act	No

State	Entities Covered	Information Covered	Notification Requirements	Further Duties	Enforcement	Exemptions	Private Right of Action
Pennsylvania	Commercial, charitable, or nonprofit entities that maintain, stores, or manages computerized data including personal information	Personal information: Name + SSN, DL, account number/identifier with access code	Notification without unreasonable delay to individuals whose unencrypted, un-redacted, or encrypted with acquired encryption key computerized data containing personal information breached and entity suffering breach reasonably believe has caused or will cause loss or injury	Entity suffering breach must coordinate with CRAs if breach includes information on at least 1,000 individuals.	State AG	Any financial institution subject to and in compliance with Federal Interagency Guidance Response Programs for Unauthorized Access to Consumer Information and Customer Notice exempted. Financial institutions subjected to federal rules or regulations requiring notification of security breach incidents exempted	No
Rhode Island	Any person or business that conducts business in the state and owns or licenses computerized data containing personal information	Personal information: Name + SSN, DL, account number/identifier with access code	Notification without unreasonable delay to individuals whose unencrypted computerized data containing personal information breached	None	State AG	Financial institutions subjected to state or federal law providing greater protections to personal information exempted. Does not apply to HIPAA entities	Yes

State	Entities Covered	Information Covered	Notification Requirements	Further Duties	Enforcement	Exemptions	Private Right of Action
Tennessee	Any business or state or local government agency that owns or licenses computerized data containing personal information	Personal information: Name + SSN, DL, account number/identifier with access code	Notification without unreasonable delay to individuals whose unencrypted computerized data containing personal information breached	Entity suffering breach must coordinate with CRAs if breach includes information on at least 1,000 individuals.	State AG	Financial institutions subject to GLB exempted	Yes
Texas	Any person or business that conducts business in the state and owns or licenses computerized data containing sensitive personal information	Personal information: Name + SSN, DL, account number/identifier with access code	Notification without unreasonable delay to individuals whose computerized data containing personal information breached	Entity suffering breach must coordinate with CRAs if breach includes information on at least 10,000 individuals.	State AG	None	No
Washington	Any business or state or local government agency that owns or licenses computerized data containing personal information	Personal information: Name SSN, DL, account number/identifier with access code	Notification without unreasonable delay to individuals whose computerized data containing personal information breached. Notification not required if it is a technical breach of security that does not seem reasonably likely to subject consumers to a risk of criminal activity.	None	State AG	None	Yes

Comparison of State Security Freeze Laws

State	Who Can Place Security Freeze	Fees	Effective Date	How to Request Security Freeze	Circumstances when Access to a Frozen Credit Report Allowed ¹	State Security Breach Law?
California	All residents	ID theft victims: None Others: \$10 (per CRA) to place freeze, \$10 for temporary global lifting of freeze, \$12 for temporary lifting of freeze for one creditor	January 1, 2003	Freeze must be requested in writing by certified mail	1, 2, 3, 4, 5, 6, 7, 8	Yes
Colorado	All residents	No fee for first freeze; \$10 to place a second freeze, \$10 for global lift; \$12 for temporary lifting for one creditor	July 1, 2006	Freeze must be requested in writing by certified mail	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13	No
Connecticut	All residents	\$10 to place, lift, or lift temporarily; \$12 for lift for one creditor	January 1, 2006	Freeze can be requested in writing by certified mail or other secure method authorized by CRA	1, 2, 6, 7, 8, 14	Yes
Illinois	Victims of ID theft only	None	January 1, 2006	Freeze must be requested in writing by certified mail	1, 2, 3, 4, 5, 6, 7, 8	Yes
Louisiana	All residents	ID theft victims and residents age 62 or older: None Others: \$10 to place, \$5 to lift	July 1, 2005	Freeze must be requested in writing by certified mail	1, 3, 6, 8, 14, 15, 16, 17, 18	Yes

Maine	All residents	ID theft victims: None Others: up to \$10 to place, remove, temporarily lift, have PIN reissues, \$12 for lift for a specific creditor	February 1, 2006	Freeze must be requested in writing by certified mail	1, 2, 3, 4, 5, 6, 7, 8	Yes
Nevada	All residents	ID theft victims: None Others: up to \$15 to place, \$18 to lift, \$20 for lift for a specific creditor	October 1, 2005	Freeze must be requested in writing by certified mail	1, 2, 3, 6, 7, 8, 14, 15, 19, 20, 21	Yes
New Jersey	All residents	None for initial freeze, up to \$5 to remove, temporarily lift or have PIN reissued	January 1, 2006	Freeze can be requested in writing by certified or overnight mail, or by secure electronic mail connection with CRA	1, 2, 3, 5, 6, 7, 8	Yes
North Carolina	All residents	ID theft victims: None Others: up to \$10 to place, remove, or suspend the freeze	December 1, 2005	Freeze must be requested in writing by certified mail	1, 2, 3, 4, 5, 6, 7, 8, 9, 14, 18	Yes
Texas	Victims of ID theft only	\$8 (adjusted for inflation) to place, none to remove	September 1, 2003	Freeze must be requested in writing by certified mail, placement of security freeze at one CRA must be honored by all	1, 2, 3, 4, 5, 6, 7, 8, 16, 17, 18	Yes
Vermont	Victims of ID theft only	None	July 1, 2005	Freeze must be requested in writing by certified mail	1, 2, 3, 4, 5, 6, 7, 8	No

Washington	Victims of ID theft or those notified of a security breach of their computerized personal information	None	July 24, 2005.	Freeze must be requested in writing by certified mail	1, 2, 3, 4, 5, 6, 7, 8, 14	Yes
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¹ For this section, the following numbers are used:

- 1= An entity the consumer has a financial obligation or account with
- 2= Authorized party pursuant to a court order, warrant, or subpoena
- 3= For child support purposes
- 4= State agency responsible for investigating Medicaid fraud
- 5= State agency responsible for investigating delinquent taxes or enforcing state tax laws
- 6= For prescreening purposes as identified under the FCRA
- 7= Credit monitoring service to which the consumer has subscribed
- 8= CRA to provide the consumer with a copy of his or her credit report upon the consumer's request
- 9= Insurance agent for the purpose of insurance underwriting
- 10= A pension plan acting to determine the consumer's eligibility for plan benefits or investigating fraud
- 11= A person conducting a pre-sentence investigation in a criminal matter or parole officer supervising an offender
- 12= A licensed hospital with which consumer has a contract or debt
- 13= Law enforcement agencies investigating a crime or conducting a criminal background check
- 14= Federal, State, or local governmental entity pursuant to their statutory responsibilities
- 15= Private collection agency assisting the collection of an existing debt
- 16= CRA which acts only as a reseller and does not maintain a permanent database of credit information
- 17= A check services or fraud prevention services company
- 18= A deposit account information service company in reviewing a consumer request for a deposit account
- 19= An entity which the consumer has an existing business relationship with for any purpose relating to that business relationship
- 20= A person holding a license issued by state gaming commission
- 21= Employer using credit report for pre-employment screening or for decisions or investigations of current/former employees

A Chronology of Data Breaches Reported Since the ChoicePoint Incident

Posted: April 20, 2005
Updated January 24, 2006

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A Chronology of Data Breaches Reported Since the ChoicePoint Incident

The data breaches noted below have been reported because the personal information compromised includes data elements useful to identity thieves, such as Social Security numbers, account numbers, and driver's license numbers.

The catalyst for reporting data breaches to the affected individuals has been the California law that requires notice of security breaches, the first of its kind in the nation, implemented July 2003.

www.privacyrights.org/ar/SecurityBreach.htm
www.privacy.ca.gov/recommendations/secbreach.pdf

This chronology below begins with ChoicePoint's 2/15/05 announcement of its data breaches because it was a watershed event in terms of disclosure to the affected individuals. Since then, the "best practice" has been to disclose breaches to individuals nationwide -- in a sense, adopting California's notice requirement nationally.

In the meantime, over half the states have considered legislation on security breach notices and security freezes in 2005, and several states passed laws requiring that individuals be notified of security breaches. For a list of those states enacting breach and freeze laws, visit the Consumers Union web site here:

Security breach notice laws: www.consumersunion.org/campaigns/Breach_laws_May05.pdf
Security freeze laws: www.consumersunion.org/campaigns/learn_more/002355indiv.ntml
State security freeze bills pending in 2006: www.financialprivacynow.org

And visit the PIRG site here: www.pirg.org/consumer/credit/statelaws.htm.

Congress is considering several bills this year in which security breach notices would be mandated nationwide. See <http://thomas.loc.gov>. See also EPIC's bill-track list, www.epic.org/privacy/bill_track.html.

Here are other sources for security breach information:

- Identity Theft Resource Center, www.idtheftcenter.org/breaches.pdf
- Adam Shostack's blog, www.emergentchaos.com/archives/cat_breaches.html
- Attrition, www.attrition.org/errata/data/loss.html
- World Privacy Forum, Security Breaches in the Digital Medical Environment (scroll to

section D of testimony),

www.worldprivacyforum.org/testimony/NCVHStestimony_092005.html

DATE MADE PUBLIC	NAME	TYPE OF BREACH	NUMBER
Feb. 15, 2005	ChoicePoint	Bogus accounts established by ID thieves	145,000
Feb. 25, 2005	Bank of America	Lost backup tape	1,200,000
Feb. 25, 2005	PayMaxx	Exposed online	25,000
March 8, 2005	DSW/Retail Ventures	Hacking	100,000
March 10, 2005	LexisNexis	Passwords compromised	32,000
March 11, 2005	Univ. of CA, Berkeley	Stolen laptop	98,400
March 11, 2005	Boston College	...	120,000
March 12, 2005	NV Dept. of Motor Vehicle	Stolen computer	8,900
March 20, 2005	Northwestern Univ.	Hacking	21,000
March 20, 2005	Univ. of NV., Las Vegas	Hacking	5,000
March 22, 2005	Calif. State Univ., Chico	Hacking	59,000
March 23, 2005	Univ. of CA, San Francisco	Hacking	7,000
March 28, 2005	Univ. of Chicago Hospital	Dishonest insider	unknown
April ?, 2005	Georgia DMV	Dishonest insider	465,000
April 5, 2005	MCI	Stolen laptop	16,500
April 8, 2005	Eastern National	Hacker	15,000
April 8, 2005	San Jose Med. Group	Stolen computer	185,000
April 11, 2005	Tufts University	Hacking	106,000
April 12, 2005	LexisNexis	Passwords compromised	Additional 280,000
April 14, 2005	Polo Ralph Lauren/HSBC	Hacking	180,000
April 14, 2005	Calif. Fastrack	Dishonest Insider	4,500

2005			
April 15, 2005	CA Dept. of Health Services	Stolen laptop	21,600
April 18, 2005	DSW/ Retail Ventures	Hacking	Additional 1,300,000
April 20, 2005	Ameritrade	Lost backup tape	200,000
April 21, 2005	Carnegie Mellon Univ.	Hacking	19,000
April 26, 2005	Mic . State Univ's Wharton Center	Hacking	40,000
April 26, 2005	Christus St. Joseph's Hospital	Stolen computer	19,000
April 28, 2005	Georgia Southern Univ.	Hacking	"tens of thousands"
April 28, 2005	Wachovia, Bank of America, PNC Financial Services Group and Commerce Bancorp	Dishonest insiders	676,000
April 29, 2005	Oklahoma State Univ.	Missing laptop	37,000
May 2, 2005	Time Warner	Lost backup tapes	600,000
May 4, 2005	CO. Health Dept.	Stolen laptop	1,600 (families)
May 5, 2005	Purdue Univ.	Hacking	11,360
May 7, 2005	Dept. of Justice	Stolen laptop	80,000
May 11, 2005	Stanford Univ.	Hacking	9,900
May 12, 2005	Hinsdale Central High School	Hacking	2,400
May 16, 2005	Westborough Bank	Dishonest insider	750
May 18, 2005	Jackson Comm. College, Michigan	Hacking	8,000
May 18, 2005	Univ. of Iowa	Hacking	30,000
May 19, 2005	Valdosta State Univ., GA	Hacking	40,000
May 20, 2005	Purdue Univ.	Hacking	11,000
May 26, 2005	Duke Univ.	Hacking	5,500
May 27, 2005	Cleveland State Univ.	Stolen laptop Update 12/24: CSU found the stolen	[44,420] Not included in total below

		laptop	
May 28, 2005	Merlin Data Services	Bogus acct. set up	9,000
May 30, 2005	Motorola	Computers stolen	unknown
June 6, 2005	CitiFinancial	Lost backup tapes	3,900,000
June 10, 2005	Fed. Deposit Insurance Corp. (FDIC)	Not disclosed	6,000
June 16, 2005	CardSystems	Hacking	40,000,000
June 17, 2005	Kent State Univ.	Stolen laptop	1,400
June 18, 2005	Univ. of Hawaii	Dishonest Insider	150,000
June 22, 2005	Eastman Kodak	Stolen laptop	5,800
June 22, 2005	East Carolina Univ.	Hacking	250
June 25, 2005	Univ. of CT (UCONN)	Hacking	72,000
June 28, 2005	Lucas Cty. Children Services (OH)	Exposed by email	900
June 29, 2005	Bank of America	Stolen laptop	18,000
June 30, 2005	Ohio State Univ. Med. Ctr.	Stolen laptop	15,000
July 1, 2005	Univ. of CA, San Diego	Hacking	3,300
July 6, 2005	City National Bank	Lost backup tapes	unknown
July 7, 2005	Mich. State Univ.	Hacking	27,000
July 19, 2005	Univ. of Southern Calif. (USC)	Hacking	270,000 possibly accessed; "dozens" exposed
July 21, 2005	Univ. of Colorado-Boulder	Hacking	42,000
July 30, 2005	San Diego Co. Employees Retirement Assoc.	Hacking	33,000
July 30, 2005	Calif. State Univ., Dominguez Hills	Hacking	9,613
July 31, 2005	Cal Poly-Pomona	Hacking	31,077
Aug. 2, 2005	Univ. of Colorado	Hacking	36,000

Aug. 9, 2005	Sonoma State Univ.	Hacking	61,709
Aug. 9, 2005	Univ. of Utah	Hacking	100,000
Aug. 10, 2005	Univ. of North Texas	Hacking	39,000
Aug. 17, 2005	Calif. State University, Stanislaus	Hacking	900
Aug. 19, 2005	Univ. of Colorado	Hacking	49,000
Aug. 22, 2005	Air Force	Hacking	33,300
Aug. 27, 2005	Univ. of Florida, Health Sciences Center/ChartOne	Stolen Laptop	3,851
Aug. 30, 2005	J.P. Morgan, Dallas	Stolen Laptop	Unknown
Aug. 30, 2005	Calif. State University, Chancellor's Office	Hacking	154
Sept. 10, 2005	Kent State Univ.	Stolen Computers	100,000
Sept. 15, 2005	Miami Univ.	Exposed Online	21,762
Sept. 16, 2005	ChoicePoint (2nd notice, see 2/15/05 for 145,000)	ID thieves accessed; also misuse of IDs & passwords.	9,903
Sept. 17, 2005	North Fork Bank, NY	Stolen laptop (7/24/05) with mortgage data	9,000
Sept. 19, 2005	Children's Health Council, San Jose CA	Stolen backup tape	5,000 - 6,000
Sept. 22, 2005	City University of New York	Exposed online	350
Sept. 23, 2005	Bank of America	Stolen laptop with info of Visa Buxx users (debit cards)	Not disclosed
Sept. 28, 2005	RBC Dain Rauscher	Illegitimate access to customer data by former employee	100+ customers' records compromised out of 300,000
Sept. 29, 2005	Univ. of Georgia	Hacking	At least 1,600
Oct. 12, 2005	Ohio State Univ. Medical Center	Exposed online. Appointment information including SSN, DOB, address, phone no., medical	2,800

		no., appointment reason, physician.	
Oct. 15, 2005	Montclair State Univ.	Exposed online	9,100
Oct. 21, 2005	Wilcox Memorial Hospital, Hawaii	Lost backup tape	130,000
Nov. 1, 2005	Univ. of Tenn. Medical Center	Stolen laptop	3,800
Nov. 4, 2005	Keck School of Medicine, USC	Stolen computer	50,000
Nov. 5, 2005	Safeway, Hawaii	Stolen laptop	1,400 in Hawaii, perhaps more elsewhere
Nov. 8, 2005	ChoicePoint	Bogus accounts established by ID thieves Total affected now reaches 162,000 (See <u>Feb. 15</u> & <u>Sept. 15</u>)	17,000 more
Nov. 9, 2005	TransUnion	Stolen computer	3,623
Nov. 11, 2005	Georgia Tech Ofc. of Enrollment Services	Stolen computer, Theft 10/16/05	13,000
Nov. 11, 2005	Scottrade Troy Group	Hacking	Unknown
Nov. 19, 2005	Boeing	Stolen laptop with HR data incl. SSNs and bank account info.	161,000
Dec. 1, 2005	Firsttrust Bank	Stolen laptop	100,000
Dec. 1, 2005	Univ. of San Diego	Hacking. Faculty, students and employee tax forms containing SSNs	7,800
Dec. 2, 2005	Cornell Univ.	Hacking. Names, addresses, SSNs, bank names and acct. numbers.	900
Dec. 6, 2005	WA Employment Security Dept.	Stolen laptop. Names, SSNs and earnings of former employees.	530
Dec. 12, 2005	Sam's Club/Wal- Mart	Unknown. Exposed credit card data at gas stations.	Unknown
Dec. 16, 2005	La Salle Bank, ABN AMRO Mortgage Group	Backup tape with residential mortgage customers lost in	[2,000,000] Not included in total below

		shipment by DHL, containing SSNs and account information. Update 12/20: DHL found the lost tape	
Dec. 16, 2005	Colorado Tech. Univ.	Email erroneously sent containing names, phone numbers, email addresses, Social Security numbers and class schedules.	1,200
Dec. 20, 2005	Guidance Software, Inc.	Hacking. Customer credit card numbers	3,800
Dec. 22, 2005	Ford Motor Co.	Stolen computer. Names and SSNs of current and former employees.	70,000
Dec. 25, 2005	Iowa State Univ.	Hacking. Credit card information and Social Security numbers.	5,500
Dec. 28, 2005	Marriot International	Lost backup tape. SSNs, credit card data of time-share owners	206,000
Jan. 1, 2006	University of Pittsburgh Medical Center, Squirrel Hill Family Medicine	6 Stolen computers. Names, Social Security numbers, birthdates	700
Jan. 2, 2006	H&R Block	SSNs exposed in 40-digit number string on mailing label	Unknown
Jan. 9, 2006	Atlantis Hotel - Kerzner Int'l	Dishonest insider or hacking. Names, addresses, credit card details, Social Security numbers, driver's licence numbers and/or bank account data.	55,000
Jan. 12, 2006	People's Bank	Lost computer tape containing names, addresses, Social Security numbers, and checking account numbers.	90,000
Jan. 17, 2006	City of San Diego, Water & Sewer Dept.	Dishonest employee accessed customer account files, including SSNs, and committed identity	Unknown

		theft on some individuals.	
Jan. 21, 2006	California Army National Guard	Stolen briefcase with personal information of National Guardsmen including a "seniority roster," Social Security numbers and dates of birth.	"hundreds of officers"
Jan. 23, 2006	Univ. of Notre Dame	Hackers accessed Social Security numbers, credit card information and check images of school donors.	Unknown
Jan. 24, 2006	Univ. of WA Medical Center	Stolen laptops containing names, Social Security numbers, maiden names, birth dates, diagnoses and other personal data.	1,600
TOTAL			52,188,132

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February 21, 2006

Honorable Ralph Seekins, Chair
Senate Judiciary Committee
Alaska State Capitol, Room 125
Juneau, Alaska 99801-1182

RE: SB222 (Therriault and Guess)—Support

Dear Chair Seekins:

On behalf of the members of AARP in Alaska, we urge you and your colleagues on the Senate Judiciary Committee to support SB 222, authored by your Committee colleagues Senators Gene Therriault and Gretchen Guess and co-sponsored by Senate Minority Leader Johnny Ellis.

The Problem

Identity theft is an important issue to AARP. Identity theft is a serious crime that is both widespread and costly. According to a Federal Trade Commission (FTC) survey released in January 2006, Alaska ranked first among all states in the number of fraud complaints, per 100,000 population, and 26th in the number of identify theft victims made to the ID Theft Clearinghouse. This is not just a problem for the lower 48. There were 421 ID theft complaints made in 2005 from Alaskans to the National Identity Theft Data Clearinghouse.

People whose identities are stolen can spend months or years – and their hard earned money – cleaning up the mess thieves made of their good name and credit record. In the meantime, victims may lose job opportunities, be refused loans for education, housing or automobiles, or even get arrested for crimes they did not commit. In addition, the almost daily news reports about data breaches and mishandling of consumers' personal identifying information demonstrate how important it is to safeguard the personal information that not only identifies us, but also provides entrée to our most sensitive financial information. The newspaper USA Today reported that in 2005, at least 130 reported breaches exposed more than 55 million people to potential identity theft.

A security freeze lets consumers stop identity thieves from getting credit in their names. The security freeze blocks or freezes access to consumers' credit files. In most instances, businesses will not issue new credit to an applicant when the businesses cannot obtain credit information about the person. If consumers freeze their credit files, it does not prevent them from obtaining new credit. Consumers can simply "thaw" the freeze. Once the business providing the new credit obtains the credit reports and credit scores, the freeze can be renewed.

Federal Action

In December 2003, Congress amended the Fair Credit Reporting Act (FCRA), which provides consumer protections regarding the use, accuracy and privacy of consumer credit reports. Through the enactment of the Fair and Accurate Credit Transactions Act (FACT Act)¹, several important consumer protections regarding identity theft were added to FCRA. One of the identity theft provisions was the "one-call" fraud alert. The fraud alert provision permits a notation to be placed on the credit report of consumers who are or believe they may be victims of identity theft. The notation asks issuers of credit to check with the consumers prior to issuing new credit. The fraud alert does not prevent access to the credit report, nor does it prevent the issuance of new credit. The fraud alert should not be confused with a security freeze.

State Action

Twelve (12) states have enacted security freeze laws.² While these laws vary in some ways, they all have a common goal – to provide consumers some control over who can gain access to their credit files. As Alaska develops a security freeze law, there are several issues that should be given special consideration.

Who Can Place A Freeze?

AARP believes that all consumers should be able to place a freeze on their credit files. State and federal laws already provide a number of protections for victims of identity theft. Consumers now need a law that will give them the opportunity to protect themselves. Eight states (CA, CO, CT, LA, ME, NV, NJ, NC) currently permit all consumers to place a security freeze. Four states (IL, TX, VT, WA) have laws that apply only to victims of identity theft. However, it should be noted that in each of these states except Texas, bills have been introduced and are moving forward to expand coverage of the laws to all consumers.

Placing and Lifting a Freeze

Security freeze laws are fairly uniform with regard to how a consumer can request a freeze. All states require the request to be in writing and sent by certified mail. AARP believes that consideration should be given to other methods for requesting a freeze as long as the method is secure and the Consumer Reporting Agencies establish policies and procedures to ensure that they can provide proper verification of the consumer. Such methods as a secure electronic mail connection can significantly reduce the amount of time that will be required to place, remove or temporarily lift a freeze. At the present time, most state laws require the freeze be lifted in no more than three (3) days. New Jersey's law set a "15 minute goal" for temporarily lifting a freeze. If this reduction in time can be achieved, consumers will be able to take advantage of those instant credit offers made by retailers, even if they have placed a freeze on their credit files.

¹ Pub. L. No. 108-159 (2003).

² California, Colorado, Connecticut, Illinois, Louisiana, Maine, Nevada, New Jersey, North Carolina, Texas, Vermont and Washington.

Fees

The issue of fees has caused some significant variations in state laws. Colorado and New Jersey do not require any consumers to pay a fee to place a freeze on their credit files. All of the other states except Connecticut and Texas permit identity theft victims to place a freeze without paying a fee. Louisiana also permits residents 62 years of age and older to avoid paying to place a freeze. For everyone else, the fees for placing a freeze range from low of \$8.00 in Texas to a high of \$15.00 in Nevada. There is also significant variation in fees charged depending on whether the temporary lifting of the freeze is global versus applying to a specific creditor.

AARP believes that the amount of the fee charged should be reasonable and supports whatever efforts are made to reduce the number of fees that must be paid by the consumer to have a security freeze. The \$5.00 fee proposed in SB 222 is reasonable and affordable.

AARP believes that all consumers should have the choice to place a freeze on their credit files. First, the freeze is the best form of identity theft protection that consumers currently have at their disposal. Even though it is by no means a 100% guarantee of safety, it can provide some piece of mind for consumers. Second, the freeze provides consumers a measure of control over their financial security that is not otherwise available. Finally, while the freeze is not for everyone, it should be available for those who wish to have it.

Concern

We asked AARP's attorney that specializes in Identify Theft to review this bill. The only concern she had was the preemption clause. AARP's position is that the State of Alaska needs to maintain the right to protect our citizens and the preemption provision undermines that right. As you know, currently preemption is unsettled law and is being debated in several courts. Eventually this issue will be settled by the courts. Until that happens, state law should prevail, particularly since federal law provides less protection.

Conclusion


Privacy is of considerable concern to the 84,000 AARP members in Alaska, and surveys that we have conducted across the country show that most do not believe that their personal information is being adequately protected. We are grateful that Senators Theriault, Guess and Ellis have taken the time to consider this important issue and we encourage your Committee to support adoption of this legislation for the citizens of our state. We also welcome the opportunity to work with the authors and support legislation that will protect Alaskans from the devastating crime of identity theft.

AARP recommends an "AYE" vote on SB 222.

Should you have any questions about our position, please feel free to contact me (586-3637) or Patrick Luby, AARP Advocacy Director (907-762-3314).

Thank you for your consideration.

Sincerely,



Marie Darlin, Coordinator
AARP Capital City Task Force
415 Willoughby Avenue, Apt. 506
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586-3637 (voice)
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CC: Vice-Chair Charlie Huggins
Senator Gene Therriault
Senator Hollis French
Senator Gretchen Guess

Consumers Union

February 9, 2006

Re: Support of S 222 and HB 226

Consumers Union, the non-profit independent publisher of *Consumer Reports*®, appreciates this opportunity to submit its views on providing consumers with tools to protect themselves against identity theft. We support bills S 222 and HB 226, which provide all Alaska consumers with additional identity theft protections such as notice of a data security breach and the option of a security freeze on their credit files at a low or no cost. These bills provide key elements in protecting all Alaska consumers from the cost, stress, and time lost due to identity theft.

Identity theft is a serious and increasingly more common crime in this "information age." According to the Federal Trade Commission, in 2003, nearly 10 million Americans were victims of identity theft, costing businesses and financial institutions nearly \$48 billion and consumers \$5 billion. When identity thieves open new accounts in a consumer's name, the victim ends up spending, on average, \$500 and countless hours cleaning up the damage. The personal costs can be devastating; identity theft can create unimaginable family stress when victims are turned down for mortgages, student loans, and even jobs.

One year ago, consumers nationwide first learned of data security breaches only because of one state's law requiring that its residents be told, and 38 state Attorneys General (including then Attorney General Renke) subsequently demanded that their states' residents be informed as well. The Privacy Rights Clearinghouse, a non-profit, non-partisan privacy education and advocacy organization estimates that over 52 million people have had their personal data put at risk due to security breaches. (See <http://privacvrights.org/ar/ChronDataBreaches.htm>). Since ChoicePoint's February 2005 revelations, nearly half of the nation's states have enacted a notice of security breach law.

Notice of a data security breach helps inform consumers to watch for identity theft more promptly after a breach occurs and leads to better and greater data security. A security freeze gives consumers the personal option to take preventative and proactive steps to stop identity thieves from using stolen personal information to open new credit or other new accounts in consumers' names.

A security freeze allows consumers to control who gains access to the personal information contained in credit files. The security freeze blocks access to new creditors to credit reports and credit scores derived from those reports, until the consumer affirmatively unlocks the file. This would help prevent identity thieves from achieving their ultimate goal – opening up new accounts to accumulate debt in their victims' names, ruining credit reports and credit scores.

To explain how a security freeze works, a consumer initially activates the freeze by placing a request with the credit bureaus. After the freeze has been placed, the consumer can then "thaw" or lift the freeze by providing the credit bureaus with a PIN, allowing specified new creditors into the credit files for a specified period of time. The security freeze helps prevent identity thieves from achieving their ultimate goal – opening up new accounts to accumulate debt in their victims' names, which leads to a ruined credit report and credit score.

A growing number of states have provided consumers with the option of a security freeze. Twelve states now give this right, and most to all consumers can now choose to use the security freeze to prevent identity thieves from opening new accounts in their good names.

We urge you to support strong legislation that provides greater identity theft protections for consumers in Alaska. Both S 222 and HB 226 would provide Alaska's consumers with necessary tools to better protect themselves against identity theft.

Please feel to contact either myself or Gail Hillebrand at 415/431-6747 should you have any questions.

Sincerely,

Michelle Jun
Staff Attorney
Financial Privacy Now
Consumers Union

SENATE COMMITTEE REPORT

DATE: 2/16/06

FURTHER: Rules

DATE TURNED
IN TO OFFICE: 3/15/06

Judiciary Committee considered

SENATE BILL NO. 222

SB 222 PROTECTION OF PERSONAL INFORMATION

"An Act relating to breaches of security involving personal information, consumer report security freezes, consumer credit monitoring, credit accuracy, protection of social security numbers, disposal of records, factual declarations of innocence after identity theft, filing police reports regarding identity theft, and furnishing consumer credit header information; and amending Rule 60, Alaska Rules of Civil Procedure."

and recommends:

- be replaced with _____ CS SB 222 (JUD)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

CS Senate Bill:
 Same Title
 New Title

SCS House Bill:
 Same Title
 Technical Title Change
 New Title w/ SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
GOV/ALL	2/21/06		✓		5

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>[Signature]</i>	X			
<i>[Signature]</i>	X			
<i>[Signature]</i>	X			
CHAIR: <i>[Signature]</i>	✓			

French
Gross
Merriault

Seelins

SENATE COMMITTEE REPORT
First Committee of Referral

FN
 FIN REF ?

DATE: 1/9/06

FURTHER: Judiciary

Date of 5-Day Notice: 1/19/06
 (in accordance with Uniform Rule 23)

DATE TURNED
 IN TO OFFICE: 2-15-06

Labor and Commerce Committee considered SENATE BILL NO. 222

SB 222 PROTECTION OF PERSONAL INFORMATION

"An Act relating to breaches of security involving personal information, consumer report security freezes, consumer credit monitoring, credit accuracy, protection of social security numbers, disposal of records, factual declarations of innocence after identity theft, filing police reports regarding identity theft, and furnishing consumer credit header information; and amending Rule 60, Alaska Rules of Civil Procedure."

and recommends:

- be replaced with _____ CS SB 222 (LEC)
- adopt previous _____ CS _____
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

CS Senate Bill:
<input type="checkbox"/> Same Title
<input checked="" type="checkbox"/> New Title
SCS House Bill:
<input type="checkbox"/> Same Title
<input type="checkbox"/> Technical Title Change
<input type="checkbox"/> New Title w/ SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#
DOT	1/24/06		✓		1
DWL	1/23/06		✓		2
DPS	1/23/06			✓	3
ADM	1/24/06			✓	4

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet.	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
Davis <i>Betty Davis</i>	✓			
Ellis <i>R. Ellis</i>	✓			
Seekins <i>Ralph Seekins</i>	✓			
B. Stevens <i>Don Stevens</i>				✓
CHAIR: <i>[Signature]</i>	✓			
Bunde				

D. Barrans TESTIMONY BEFORE SENATE FINANCE COMMITTEE

DATE: March 23, 2006

SUBJECT: Comments re: CSSB 222(JUD)

Co-Chair Green, Co-Chair Wilken, Members: Bunde, Dyson, Stedman, Hoffman, Olson

Thank you for the opportunity to testify today regarding CSSB 222(JUD). While the Alaska Commission on Postsecondary Education is already in compliance with a number of the information security elements of the bill we do have significant concerns about the provisions relating to the collection and use of social security numbers. The current provisions constitute a potential major impairment of ACPE's ability to efficiently and effectively carry out its administrative responsibilities for state financial aid programs.

Specifically, (page 16, lines 25 to 27) *AS 45 48.400(b) Unless expressly required by federal or state law, a person may not sell, lease, loan, trade, rent, or otherwise disclose an individual's social security number to a third party for any purpose without the individual's written consent.*

Currently ACPE uses the SSN as one of several key identifiers in a multi-point ID protocol when performing statutorily required servicing processes which include: insuring the identify of the applicant, review of applicant credit history, review for relevant selective service status, review for child support delinquency, garnishment of wages and/or PFDs, skip tracing, credit reporting, etc. These matches are made with both federal and state entities as well as with private postsecondary institutions and other non-governmental third parties critical to the process.

Collection of SSNs is absolutely critical to these processes and yet, the act of collecting the SSN is not *expressly* required by law, it is performing the processes that is required.

Current language contained in the state education loan Master Promissory Note (MPN) includes an IMPORTANT NOTICES section which advises applicants that submission of the SSN is required to participate in the loan program. It further advises them, generally, how the SSN will be used as an identifier, when needed and appropriate, throughout the life of the loan. While the promissory note does state: "*Information Sharing I authorize the release of information pertinent to my loans...etc.*", it does not contain an explicit statement relating to release of the SSN. Should this phrasing issue be subject to litigation and the language deemed to be deficient, I cannot estimate what costs could come from a class action. The current MPN has been in use for the past four years.

For the Commission to have to require new MPNs of all current borrowers is estimated to cost in excess of \$50,000 in printing, distribution and staff time explaining to borrowers and participating institutions why the existing MPN must be replaced. There would also be the intangible cost to the organization, of putting our customers' confidence in the organization at risk. Since we also operate as a lender under the federal program, should we be unable to comply with federal credit reporting requirements the financial losses to the Alaska Student Loan Corporation could be in the millions. Federal loan volume for the current loan year is estimated to be approximately \$27 million and represents slightly less than 40% of our total loan volume.

The other two sections of related concern are 45.48.410 and 45.48.415. While 45.48.410 appears to provide agencies with the ability to create SSN-related "law" through the regulation, as it currently reads, that ability is limited to this single section. Should we attempt to provide all of the requisite authority to support critical administrative processes, I am very concerned that, if subjected to litigation by a disgruntled borrower, the courts would take a strict reading of the statute and disallow any such regulation that was not supported by clear statutory authority.

It is also relevant to note that the legislature has expressly charged ACPE with acting as an enterprise agency, using a business model to generate revenue for the state. However, by prohibiting a state agency from asking for a SSN, but not extending that prohibition to other entities, the proposed language in 45.48.410 not only results in significantly increased cost for ACPE – and associated decreases in ACPE's ability to generate revenue for the state – but also results in ACPE not being able to compete with out-of-state organizations that actively market their loans to Alaska's students, costing those students more, decreasing state revenues, and resulting in an outflow of education loan repayment dollars to other states.

Finally, ACPE's business process is already subject to a variety of federal consumer protection laws including: Fair Debt Collection Practices Act (FDCPA); Telephone Consumer Protection Act (TCPA); Fair Credit Reporting Act (FCRA); Patriot Act (for OFAC compliance); Gramm Leach Bliley (GLB); Fair and Accurate Credit Act (FACT ACT); Alaska Privacy Act; Alaska statutes and regulations governing the education loan programs; Truth in Lending Act as well as a variety of federal and state laws relative to consumer information protection, identity theft, payment processing, debt collection, and related financial information. The additional requirements placed on the agency by this legislation certainly adds complexity to compliance, due to possible conflicts, without adding meaningfully to the protection of our customers.

If it is not possible to altogether exempt ACPE from these referenced requirements, then appropriate amendments are necessary to avoid devastating consequences to our operations, our ability to operate as an enterprise agency, and – most important – our ability to support Alaska's students and institutions of higher education.

SB

231

HFIN

FILE

HOUSE FINANCE
COMMITTEE
ROLL CALL

DATE: 5/8/04

Amendment: Am 1a

MEMBER

Favor

Oppose

WEYHRAUCH		<input checked="" type="checkbox"/>
FOSTER		<input checked="" type="checkbox"/>
HAWKER		<input checked="" type="checkbox"/>
HOLM		<input checked="" type="checkbox"/>
JOULE	<input checked="" type="checkbox"/>	
KELLY		<input checked="" type="checkbox"/>
KERTTULA	<input checked="" type="checkbox"/>	
MOSES	<input checked="" type="checkbox"/>	
STOLTZE		<input checked="" type="checkbox"/>
MEYER		<input checked="" type="checkbox"/>
CHENAULT		<input checked="" type="checkbox"/>

AMENDMENT

Failed

OFFERED IN THE HOUSE

BY *Joule*

TO: HCSSB 232 (FIN), Version C

Page 171

Insert a new subsection to read:

"(b) The sum of \$1,750,000 is appropriated from the general fund to the Department of Commerce, Community, and Economic Development for payment to unincorporated communities meeting the eligibility requirements of AS 29.60.140 for the purpose of defraying increased energy and other costs."

AMENDMENT # 24 Adopted

OFFERED IN THE HOUSE FINANCE
COMMITTEE

BY: REPRESENTATIVE HOLM

TO: CSSB 231 (FIN)

Page 105 Following line 8

UNIVERSITY OF ALASKA

ADD: :University of Alaska Museum of the North

Fund Source: 1004 General Funds

Amount: \$ 500,000

DESCRIPTION: This Amendment adds 500,000. The balance of the funding is included in HB 381

#3

Adopted

24-LS8009A.97
Kane
5/2/06

AMENDMENT

Moses

OFFERED IN THE HOUSE

HOUSE DISTRICT 37

TO: Reappropriation Bill

- 1 * Sec. A. Section 1, ch. 82, SLA 2003, page 49, lines 22 - 23, is amended to read:
- 2 ALLOCATIONS
- 3 King Cove and Cold Bay 6,000,000
- 4 road and hovercraft
- 5 terminals (ED37)

Adopted # 4

Amendment to HCS CS SB230 (Fin)

Offered by: Rep. Joule

Pg. 63

Under Grants to Municipalities (AS37.05.315)

Add:

Northwest Arctic Borough- Northwest Arctic Borough School District for maintenance and equipment: \$300,000 General Funds

Adopted

5

AMENDMENT

OFFERED IN THE HOUSE FINANCE COMMITTEE

To: HCSCSSB231(FIN) C

by Rep. Meyer

Page 28, lines 6-8, City of Dillingham – Wood River Road Rehabilitation
\$1,000,000:

Change recipient from City of Dillingham to D.O.T.

Page 74, line 15,

Change recipient from AVTEC to Alaska Laborer's Training School

Page 4, lines 27-30, "Alaska Asthma Coalition – Asthma Control Program
and Champ Camp Tobacco Cessation (HD 17-32)":

Delete "Tobacco Cessation"

Page 43, lines 31-33, "Matanuska-Susitna Borough – Hatcher Pass Fire Station
on Turner Drive (HD 13-16)":

Delete "Hatcher Pass"
Insert "Fish Hook"

Sec (1) Page 33, Delete lines 27-29: City of Thorne Bay-Thorne Bay
Playground Equipment (HD 1) \$25,000

Insert new lines to read:

City of Coffman Cove – City Equipment Shelter and Internet Upgrades
(HD 1) \$25,000

Page 64, Line 10

Meliakatla Search and Rescue Boat

Delete: \$130,000

Add: \$30,000

Page 85, Line 27

Add: Gustavus Commercial/ Sport Boat Ramp

Add: \$100,000

Page 171, Lines 19-20

Delete – under AS 37.05.315

5A Adopted

Amendment to SB231

Offered by: Rep. Joule

Delete appropriation on page 32, lines 27 and 28:

	Appropriation Items	General Funds
[City of Shishmaref- Shoreline Protection (HD40)]	\$500,000	\$500,000

Add: an appropriation on page 17, grants to named recipients

Kawarek, Inc. - Shishmaref Shoreline Protection (HD40)	\$500,000	\$500,000
---	-----------	-----------

AMENDMENT# 6

Adopted

OFFERED IN THE HOUSE FINANCE COMMITTEE

TO: HCS CS SB 231(FIN) 24-GS2034/C

Page 12, lines 11-15, is amended to read:

Cooper Landing Senior Citizens, Corp. – Utility Extension and Paving for
Senior Housing Project (HD 35)

This amendment just changes the project description.

Amendment #7

Adopted

TO:

27

Page 4, line ~~15~~ - Insert: "American Lung Association of Alaska," before "Alaska
Asthma Coalition"

(a)

filed

AMENDMENT

OFFERED IN THE HOUSE

BY *Joile*

TO: HCSSB 232 (FIN), Version C

Page 171

Insert a new subsection to read:

"(b) The sum of \$1,750,000 is appropriated from the general fund to the Department of Commerce, Community, and Economic Development for payment to unincorporated communities meeting the eligibility requirements of AS 29.60.140 for the purpose of defraying increased energy and other costs."

HOUSE COMMITTEE REPC T

(11)
Date Referred to Committee: May 4, 2006

FURTHER REFERRALS:

Date of Committee Action: 5/8/06

The FINANCE Committee considered:

CSSB 231(FIN) am

CS FOR SENATE BILL NO. 231(FIN) am BUDGET: CAPITAL & OTHER APPROPRIATIONS
"An Act making appropriations, including capital appropriations, supplemental appropriations, reappropriations, and appropriations to capitalize funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

Recommends it be replaced with HCS or CS for CSSB 231 (FIN)
For Senate Bills with new title: Technical Title New Title: HCR _____ Same Title New Title

- attach amendments
- add new referral to _____ Committee
- Letter of Intent _____ Committee

List of Abbrev for Depts.:
ADM
CED
CJR
CRT
EED
DEC
DFG
GOV
HSS
LEG
LAW
LWF
MVA
DNR
DPS
REV
DOT
UA

NEW FISCAL NOTES				
*Assigned by Chief Clerk's Office				
List by Dept(s):	*FN#	Fiscal	Indet.	Zero

PREVIOUS FISCAL NOTES				
List by Dept(s):	FN#	Fiscal	Indet.	Zero

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
	HAWK	*			
	FOSTER	x			
	WILLIAMS	x			
	NOLAN	x			
	KELLY	✓			
	MOSES	x			
	SOULE	x			
	KERTTULA			✓	
	STARNES	✓			
Chair:	Meyer	✓			
Chair:	Chenault	✓			

CO
CO

HOUSE COMMITTEE REPC T

(11)

Date Referred to Committee: May 4, 2006

FURTHER REFERRALS:

Date of Committee Action: 5/8/06

The FINANCE Committee considered:

CSSB 231(FIN) am

CS FOR SENATE BILL NO. 231(FIN) am

BUDGET: CAPITAL & OTHER APPROPRIATIONS

"An Act making appropriations, including capital appropriations, supplemental appropriations, reappropriations, and appropriations to capitalize funds; making appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the constitutional budget reserve fund; and providing for an effective date."

Recommends it be replaced with HCS or CS for CSSB 305 (FIN)
 For Senate Bills with new title: Technical Title New Title: HCR Same Title New Title

- attach amendments
- add new referral to _____ Committee
- Letter of Intent _____ Committee

List of
Abbrev
for
Depts.:

- ADM
- CED
- COR
- CRT
- FED
- DEC
- DFG
- GOV
- HSS
- LEG
- LAW
- LWF
- MVA
- DNR
- DPS
- REV
- DOT
- UA

<u>NEW FISCAL NOTES</u>				
*Assigned by Chief Clerk's Office				
List by Dept(s):	*FN#	Fiscal	Indet.	Zero

<u>PREVIOUS FISCAL NOTES</u>				
List by Dept(s):	FN#	Fiscal	Indet.	Zero

<u>Signing with recommendations</u>	Printed Last Name	DP	DNP	NR	AM
	Hawk	*			
	FOSTER	x			
	Weyhauer	x			
	Nolan	x			
	KELLY	✓			
	MOSES	x			
	Soule	x			
	KEETHULA			✓	
	STATE	✓			
Chair:	Meyer	✓			
Chair:	Chenault	✓			

The Sum of \$60,000 is appropriated to the Department of Commerce, Community and Economic Development for the sole purpose of conducting a borough economic feasibility study within the model borough boundaries of the Middle Kuskokwim Region.

BACKGROUND:

On April 6 and 7, about 100 people from the villages of the Middle Kuskokwim Region met in Aniak Alaska to discuss a possible borough formation in the region. The meeting expenses of travel, lodging and administrative support totaled \$40,000 and were paid for by The Kuskokwim Corporation, the local village corporation which encompasses all 10 villages of the region.

Part of the impetus for the meeting is the potential Donlin Creek mine being developed by Placer Dome/Barrick corporation. They have made it clear that the mine cannot be developed until they have the fiscal certainty of a negotiated tax agreement with a local government, similar to the Red Dog agreement with the Northwest Arctic Borough. Many people in the region see the mine as the driving economic force that will allow one of the poorest areas of the state to improve its economic future.

Department of Commerce local government staff made presentations on the mechanics of forming a borough. The local school district and the Native non-profit group Kuskokwim Native Association participated in the meeting.

An Exploratory Committee was formed at the end of the meeting to do further research on the economic feasibility of a borough, what powers it could have, the impact on school funding, etc. The Committee will coordinate providing information to the people in their respective villages.

An economic feasibility study is a requirement for applying to be a borough and this proposed study would meet that requirement.

THE
FOLLOWING
DOCUMENT(S)
ARE
POOR
ORIGINAL
COPIES



COOK INLET

AQUACULTURE ASSOCIATION

40610 KALIFORNISKY BEACH ROAD
KENAI, AK 99011
(907) 283-5761
FAX: (907) 283-9433
email: info@ciaanet.org
http://www.ciaanet.org

Project: Investigation and Evaluation of Sockeye Salmon Production from Lakes in the Susitna River System

Timeframe: May 1, 2006 to June 30, 2009

Need: Recent sockeye salmon returns to the Northern District of Upper Cook Inlet have been significantly less than expected. There could be a number of causes for this recent trend. There are two broad questions to be asked. The first is whether or not the system is producing juvenile salmon that succeed in migrating to sea. The second question is whether or not a sufficient number of adult fish are falling to reach the spawning grounds.

The Department of Fish and Game has designed a study program that focuses primarily on the adult fish and management's ability to enumerate the return.

CIAA proposes to investigate the freshwater rearing environment of this system. Understanding the entire salmon life cycle will help to identify if rehabilitation is warranted and which strategies seem to offer the most promise. These studies complement the work being performed by ADF&G.

Objectives: Evaluate the freshwater environment and update previously collected data. Each component of the project will enable investigators to identify possible problems at each stage of salmon production.

Project Description: The proposed investigation will involve studies on seven lakes. Three of the lakes are along the mainstem Susitna River and Talkeetna River (Larson, Stephan, and Byers Lakes); and four are on tributaries of the Yentna River (Judd, Shell, Hewitt, and Chelatna Lakes). The studies will include the enumeration of adult salmon escapement and smolt emigrations at each lake. Adult sockeye salmon and smolts will be sampled for age, weight and length throughout the enumeration.

Further investigations will include limnological sampling (water chemistry and zooplankton) and the collection of dissolved oxygen, light and temperature profiles within each lake. Stream flows will also be recorded.

In conjunction with this investigation, ADF&G will conduct hydroacoustic analyses in the fall to survey fry production of each lake. In addition, CIAA will assist the ADF&G mark-recapture study with tag recovery at all seven adult salmon weirs.

All information recorded by CIAA will be provided to ADF&G.

Budget: The Project will be supported with funds contributed by CIAA (\$250,000) and funds contributed by the State of Alaska (\$500,000). The total cost of the project is budgeted at \$746,893 (FY 06 \$22,776, FY 07 \$278,341, FY 08 \$228,645, BY 09 \$217,131).

Copy for Members
referred to Page 4/

Record of Decision
Juneau Access Improvements Project
State Project Number: 71100
Federal Project Number: STP-000S(131)

I. Decision

This Record of Decision (ROD) was developed pursuant to 40 CFR 1505.2 and 23 CFR 771.127. The Alaska Department of Transportation and Public Facilities (DOT&PF), in cooperation with the Federal Highway Administration (FHWA), has identified a need to improve surface transportation to and from Juneau within the Lynn Canal corridor in Southeast Alaska. The purpose of this Improvement is to:

- Provide the capacity to meet transportation demand in the corridor
- Provide flexibility and improve opportunity for travel
- Reduce travel times between the Lynn Canal communities of Juneau, Haines, and Skagway
- Reduce state costs for transportation in the corridor
- Reduce user costs for transportation in the corridor

The project purpose and need are fully described in Chapter 1 of the *Juneau Access Improvements Final Environmental Impact Statement (Final EIS)*.

The selected alternative for the Juneau Access Improvements Project is Alternative 2B. This alternative consists of a 50.8-mile two-lane highway from the end of Glacier Highway at Echo Cove to a point north of the Katzehin River delta. A new ferry terminal at the end of the new highway would provide shuttle ferry service to Haines and Skagway using a three-vessel system. Alaska Marine Highway System (AMHS) service would end at Auke Bay and the M/V *Fairweather*, a fast vehicle ferry (FVF) would no longer operate in Lynn Canal.

In compliance with the National Environmental Policy Act (NEPA) of 1969 (as amended), 40 CFR Parts 1500-1508, and FHWA regulations (23 CFR Parts 771, 772, and 777), a Draft EIS for the Juneau Access Improvements Project was approved on June 23, 1997, and circulated for comment until December 15, 1997. An environmental reevaluation of this document was prepared in January 2003; DOT&PF and FHWA determined that a Supplemental Draft EIS was required because of modifications in project alternatives and the need for new environmental studies. Public scoping meetings for the Supplemental Draft EIS were held in Juneau, Haines, and Skagway from April 8 through 10, 2003. A Supplemental Draft EIS was approved on January 11, 2005, and circulated for comment until March 21, 2005. DOT&PF and FHWA held Public Hearing sessions on February 16 and 17, 2005 in Juneau, February 23, 2005 in Haines, and February 24, 2005 in Skagway.

A Final EIS that addressed all substantive comments received on the Supplemental Draft EIS was approved on January 18, 2006 and is incorporated by reference here. A notice of its availability was published in the *Federal Register* on February 10, 2006. The Final EIS identified Alternative 2B as the Preferred Alternative and was distributed to the public and federal and state agencies beginning on January 23, 2006. Substantive comments received on the Final EIS and responses are provided in the Appendix to this ROD. The Appendix also contains a summary of other comments received. For more detailed information on topics presented in this ROD, please refer to the Final EIS.

Numerous issues were identified by the public and responsible agencies during scoping for and review of the 1997 Draft EIS and the 2005 Supplemental Draft EIS. The primary concerns that have been voiced about the project include:

- Impacts to marine and terrestrial wildlife within the Lynn Canal region and particularly in Berners Bay.
- Impacts to quality of life in Lynn Canal communities caused by improved access.
- Impacts of avalanche risk and poor weather conditions on the safety and reliability of the East Lynn Canal Highway.
- Impacts to cruise ship schedules and visits, and potential negative economic effects on Skagway due to reduced numbers of port calls.
- Increased transportation costs for Haines residents resulting from increased reliance on passenger vehicles to travel to and from Juneau.

All of these concerns were addressed in the Final EIS. All reasonable alternatives under consideration (including the No Action Alternative) have been developed to a comparable level of detail in the Final EIS, and their comparative merits have been evaluated. All of the adverse impacts were weighed against the project's projected beneficial impacts, particularly those related to meeting the purpose and need for improved surface transportation to and from Juneau. Based on analysis of alternatives presented in the Final EIS, public and agency input, and the beneficial and adverse impacts on the natural, social, and economic environments, DOT&PF and FHWA have selected Alternative 2B (see Section 2.3.2 of the Final EIS) for design and construction. This decision is based on the following considerations (see Section II of this ROD for more detail on all of the alternatives considered in the Final EIS).

II. Basis for Decision

Improved Capacity: Providing adequate capacity is a fundamental transportation responsibility. One of FHWA's most important considerations regarding an alternative's ability to meet the purpose and need for this project is the capacity provided combined with a reasonable expectation that the capacity can and will be utilized. All of the reasonable alternatives involve ferry links. The alternative with the shortest ferry links can provide the greatest capacity with the lowest user costs. Low user costs, when combined with reasonable travel times and frequent trip opportunity, increase the likelihood the capacity provided would be used. Extending Glacier Highway 50.8 miles to a Katzehin terminal, with a 7 mile shuttle run to Haines and a 15 mile shuttle run to Skagway, will increase summer capacity in Lynn Canal to 1,276 vehicles per day in 2038. Alternative 2B will generate and accommodate an estimated 670 annual Average Daily Traffic (ADT) in 2038. This would be approximately 72 percent of the forecast unconstrained 2038 demand in the corridor (930 annual ADT).

Improved Travel Flexibility and Opportunity: Lynn Canal summer travel demand is approximately four times greater than winter demand. Alternative 2B will provide a substantial improvement in summer travel flexibility and opportunity in the Lynn Canal corridor. Currently there are approximately ten trips per week to both Haines and Skagway in summer. Under the No Action Alternative this is expected to drop to seven or eight as two mainline vessels are phased out. Travel opportunity and flexibility under Alternative 2B will be determined by shuttle ferry frequency from the new terminal at Katzehin. In summer there will be eight roundtrips per day to Haines and six roundtrips per day to Skagway.

In winter, trip frequency will be affected by both shuttle ferry schedules and highway avalanche control closures. The winter shuttle ferry service will be scheduled for six roundtrips per day to Haines and four roundtrips per day to Skagway. In winter, the highway for Alternative 2B may

be closed an average of 16.5 times per year for avalanche control with a total projected closure time of about 34 days per year. Service to and from Juneau in the Lynn Canal corridor during road closures will be by one or more of the shuttle ferries that will be part of Alternative 2B. Generally, a shuttle ferry will be used for this purpose if the road were closed for more than one day. The larger of the two winter shuttles proposed for this alternative could transport 106 vehicles/day. The smaller could transport 68 vehicles per day. Together these ferries could transport 174 vehicles per day. (These ferries could transport twice as many vehicles per day, or have a shorter workday, if Coeur Alaska's planned Slate Cove dock is available in winter.) Although highway closures will intermittently reduce winter trip frequency, a large part of the projected winter daily demand (180 ADT initially, 310 in 30 years) could still be met.

Reduced Travel Time: Travel time between Lynn Canal communities under Alternative 2B would be the shortest of all the reasonable alternatives considered for the project including the No Action Alternative. Prior to introduction of the M/V *Fairweather* in 2004, trip times in Lynn Canal were quite long: about seven hours to Haines and nine hours to Skagway. The M/V *Fairweather* reduced travel times to 3.5 hours to Haines and 3.8 hours to Skagway, including the minimum required check-in time. The M/V *Fairweather* does not run in Lynn Canal every day; in summer slower mainline vessels provide approximately one half of total capacity. In winter mainline vessels provide two thirds of the total capacity. Under Alternative 2B it will take about 2.5 hours to travel from Auke Bay to Haines and 3 hours to travel from Auke Bay to Skagway, based on highway travel time and loading, transit, and unloading time on a shuttle ferry. Travel time will be longer if a traveler has to wait for the next ferry, but will still be shorter than the average No Action Alternative travel time.

Reduced User Cost: Reducing user cost is a major goal of this project. The current transportation system in Lynn Canal, although part of the National Highway System (NHS), is essentially a very expensive toll highway. As explained above under Improved Capacity, user costs are important in terms of meeting demand and utilizing capacity provided. The current user costs in Lynn Canal are much higher than most Alaskans incur for surface travel over similar distances. Alternative 2B will result in the lowest cost to the traveler of any project alternative, a substantial reduction compared to the No Action Alternative. Total cost of travel (including vehicle ownership and maintenance) for a family of four in a 19-foot vehicle between Juneau and Haines or Skagway will be about \$60 and \$77, respectively, or about 33 percent of the cost of travel on a mainline ferry under the No Action Alternative. For many travelers, the out-of-pocket costs of a trip are more important than costs that include long-term vehicle ownership costs. Out-of-pocket costs for a family of four will be about \$34 to Haines and \$51 to Skagway, approximately 80 percent less than out-of-pocket costs under the No Action Alternative. These cost differences are even greater when compared to travel on an FVF, which costs about 10 percent more than travel on a conventional ferry.

Reduced State Cost: State costs in Lynn Canal are very high compared to the volume of traffic accommodated, and account for the high user fees charged. Currently the AMHS transports an average of 29,500 vehicles a year in the corridor, at an operating cost of \$11.7 million in 2004. The net annual operating cost, which includes revenues but no capital costs, was \$5.7 million. Under Alternative 2B the total operation and maintenance cost will be reduced to \$9.0 million per year (in 2004 dollars); the net cost after projected revenue will be \$4.5 million. The No Action Alternative, a lower level of service than currently provided, would have a total annual operational cost of \$10.2 million. Net cost after revenue would be \$3.3 million. Essentially, the No Action Alternative would reduce state cost and level of service, while maintaining the high user costs. Alternative 2B will reduce net state costs, while improving service, including increased capacity, greater trip frequency, and greatly reduced user costs.

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Another way to evaluate state cost in the corridor is to look at all state costs, including capital costs, for a 35-year analysis period (5 years of construction and 30 years of operation) in relation to the number of vehicles transported. Based on the current funding proposal, Alternative 2B would have a net state cost over 35 years of \$122 million, approximately double that of the No Action Alternative. (The higher net cost of Alternative 2B is due primarily to the state match required for federal construction funds, and the State's decision to use \$57.5 million in state funds to supplement federal funds rather than using the maximum possible federal assistance. Had the State opted to fund the project with federal funds to the maximum extent, state net costs would have been \$88 million as report in the Final EIS.) Alternative 2B would be used by almost five times as many vehicles as the No Action Alternative. Because of this higher traffic volume, Alternative 2B would have a net state cost per vehicle trip of \$21, much lower than the No Action Alternative cost of \$45 per vehicle trip.

Economic Efficiency: FHWA has based its decision primarily on the ability of Alternative 2B to meet the purpose and need elements as described above. Although lower emphasis was placed on the User Benefit Analysis and Life Cycle Cost Analysis, FHWA did consider that these analyses add further support to the selection of Alternative 2B.

User Benefit Analysis: One economic measure of an alternative is its net present value, which is the total of the user benefits minus the net costs of an alternative over and above the net cost of the No Action Alternative for a given period of time. Based on total user costs, travel time cost, and the projected travel in the Lynn Canal corridor during the 35-year analysis period, Alternative 2B will provide \$226 million in benefits to travelers relative to the No Action Alternative. After subtracting the net incremental 35-year project costs of \$156 million, the net present value of Alternative 2B is approximately \$70 million. Other reasonable alternatives considered for the project have a net present value less than half that of Alternative 2B. Three of the marine alternatives (Alternatives 4A through 4C described in Section II of the ROD) would have higher total project costs than the user benefits they would provide, resulting in a negative net present value.

Life Cycle Cost: The analysis of costs used to evaluate purpose and need elements focuses on state costs and users costs. The net present value analysis evaluates user benefits, which involves placing a value on travelers' time, both during travel and while waiting to travel. The life cycle cost analysis prepared for the project is based on all costs regardless of who pays, and only evaluates costs; it does not address benefits. The No Action Alternative has an estimated life cycle (35 years) cost of \$267 million (discounted to 2004 dollars), and would transport approximately 1.4 million vehicles during the analysis period at a cost of about \$191 per vehicle. Alternative 2B has an estimated life cycle (5 years of construction and 30 years of operation) cost of \$352 million (discounted to 2004 dollars), and will transport approximately 5.9 million vehicles at a cost of about \$60 per vehicle. As with the state cost per vehicle, Alternative 2B has the lowest total cost per vehicle of any of the reasonable alternatives.

III. Alternatives Considered

The Juneau Access Improvements Project EIS evaluated ways to improve surface transportation to and from Juneau within Lynn Canal. Currently, access to Juneau is only possible by air and water.

Consistent with NEPA, a full range of reasonable alternatives to address the purpose of and need for the Juneau Access Improvements Project was identified and evaluated. Based on reconnaissance engineering studies, including alignment studies and a user benefit analysis, the 1997 Draft EIS evaluated six reasonable alternatives: a No Build alternative, one highway alternative, and four marine alternatives.

Nineteen alternatives were screened to determine the range of reasonable alternatives for the Supplemental Draft EIS. These alternatives were screened using four criteria: cost/technical feasibility and common sense, appropriateness and unnecessary variations, purpose and need, and environmental impacts. Alternatives that did not meet these criteria were eliminated from further consideration (see Sections 2.1 and 2.2 of the Final EIS for more information on screening and alternatives that were eliminated from further consideration). Based on this screening, ten reasonable alternatives were evaluated in the Supplemental Draft EIS: a No Action alternative, five primarily highway alternatives, and four primarily marine alternatives.

The Final EIS included seven reasonable alternatives. Three alternatives that included a highway into Skagway (Alternatives 2, 2A, and 2C) were dropped from consideration in the Final EIS after FHWA determined they would require Section 4(f) protected lands within the Skagway and White Pass District National Historic Landmark. The seven reasonable alternatives are summarized below. All of the build alternatives include one or more ferry links and all but two include one or more new sections of highway. For more information on the alternatives presented here and those dropped from further consideration, please refer to Chapter 2 of the Final EIS.

A. No Action Alternative

The No Action Alternative includes a continuation of mainline AMHS service in Lynn Canal as well as the operation of the fast vehicle ferry (FVF) *M/V Fairweather* between Auke Bay and Haines and Auke Bay and Skagway, albeit at a lower level of mainline service than is currently provided. The *M/V Aurora* would provide shuttle service between Haines and Skagway, beginning as early as 2007.

The No Action Alternative would result in no additional environmental impacts; however, it does not accomplish any of the elements of the project purpose and need. The No Action Alternative is expected to provide a maximum capacity of 167 vehicles per day in the Lynn Canal corridor. Forecast demand for the No Action Alternative is 130 annual ADT in 2038. Unconstrained travel demand in the Lynn Canal corridor is currently estimated to be approximately 500 annual ADT and is forecast to be 930 annual ADT by 2038. Therefore, the No Action Alternative would only accommodate about 14 percent of the forecast unconstrained demand in the corridor by 2038.

The No Action Alternative does not change the restrictions on travel opportunity and flexibility in the Lynn Canal corridor. In the summer, there would be seven to eight roundtrips per week between Auke Bay and Haines or Skagway. The opportunity to travel would decrease to five roundtrips per week between Auke Bay and Haines or Skagway in the winter.

Travel times between communities in Lynn Canal would remain unchanged from current conditions under the No Action Alternative. With a mainline ferry travel times between Auke Bay and Haines or Skagway, including required check-in, would be 7.1 and 9.1 hours, respectively. Travel times between Auke Bay and Haines or Skagway on the *M/V Fairweather* would be 3.5 and 3.8 hours, respectively.

The life cycle cost of the No Action Alternative is estimated to be \$267 million, and the net cost to the state over the 35-year study period is estimated to be about \$61 million. Annual maintenance and operating costs are about \$10.2 million. Because so few vehicles are projected to use the No Action Alternative, it has one of the highest state costs per vehicle (\$45) of any of the project alternatives.

The low net cost to the state of the No Action Alternative would be the direct result of a low level of service and high out-of-pocket costs for travelers. The out-of-pocket costs for a family of four in a 19-foot vehicle would be approximately \$237 (in 2004 dollars) between Juneau and Skagway and \$180 between Juneau and Haines under the No Action Alternative traveling on a mainline vessel and about 10 percent more for travel on an FVF.

The No Action Alternative does not address the purpose and need for the project (other than reducing state costs by reducing overall service relative to current service) and was therefore not selected.

B. Alternative 2B (Selected Alternative): East Lynn Canal Highway to Katzeihin with Shuttles to Haines and Skagway

This alternative will consist of a 50.8-mile long highway from the end of Glacier Highway at Echo Cove to a point north of the Katzeihin River delta. A new ferry terminal will be constructed at the end of the new highway, with shuttle ferry service to both Skagway and Haines from the new terminal. The highway will have a 30-foot pavement width, with two 11-foot-wide vehicle lanes and 4-foot shoulders. The minimum design speed will be 40 miles per hour. The design will meet American Association of State Highway and Transportation Officials (AASHTO) standards for a rural arterial except for the 4-foot shoulder width, which will be an exception to the 6-foot AASHTO recommended width.

Under Alternative 2B, summer Haines to Skagway shuttle service will be provided, two new shuttle ferries will be constructed, and the M/V *Aurora* will be part of the three-vessel shuttle system. Upon completion of project construction, mainline ferry service will end at Auke Bay in Juneau and the M/V *Fairweather* will be redeployed.

Of the reasonable alternatives considered in the Final EIS, Alternative 2B best meets the purpose of and need for the project. Summer capacity will be increased to 1,180 vehicles per day initially, and 1,276 vehicles per day by 2038. In 2038 Alternative 2B will generate and accommodate a forecast demand of 670 annual ADT, which would be about 72 percent of the forecast unconstrained demand in the corridor for that year.

Travel opportunity and flexibility will be increased substantially, with Alternative 2B providing almost as many shuttle ferry roundtrips per day in the summer and winter as the number of roundtrips per week under the No Action Alternative. Travel time with Alternative 2B would be the shortest of all the build alternatives, making a typical trip between Juneau and Haines or Skagway about three times faster than on a mainline ferry and about an hour faster than on an FVF.

Over the 35-year construction and operating period, Alternative 2B would have a low net state cost per vehicle trip, approximately \$21. At \$9 million, Alternative 2B also would have the lowest total annual maintenance and operating costs of all the project alternatives. Based on estimated fares, Alternative 2B would have the lowest total cost to private vehicle travelers of any project alternative, about 33 percent of the cost of travel on a mainline ferry under the No Action Alternative and about 30 percent of the cost of travel on an FVF. (Total costs include fuel, ferry fares, and vehicle ownership costs.) The reduction in out-of-pocket costs (fuel and ferry fares) would be even greater. Out-of-pocket costs on Alternative 2B will be 17 to 22 percent of the No Action Alternative costs. The substantial user benefits of Alternative 2B compared to costs are demonstrated by the net present value of \$70 million for this alternative. This is the highest net present value of any of the build alternatives.

Alternative 2B will result in the loss of approximately 70 acres of wetlands. All but about one acre of the wetlands impacted would be forested wetlands. This type of wetland is common in the Lynn Canal region. The largest area of wetland loss, 48 acres, will occur between Slate Creek and Sherman Point north of Berners Bay. Approximately 20 acres of forested wetlands and 1 acre of palustrine scrub-shrub wetlands will be filled in Berners Bay watersheds.

A total of approximately 36 acres of intertidal and subtidal marine habitat will be filled or dredged for construction of Alternative 2B. None of these impacts to Essential Fish Habitat (EFH) will be large enough to measurably affect fish and invertebrate populations in Lynn Canal.

Alternative 2B will result in the loss of approximately 428 acres of terrestrial habitat including 286 acres of old-growth forest, 128 acres of other forest, and 13 acres of open shrub and meadow. The loss from each vegetation type represents less than 1 percent of that type in the project study area. This loss will not adversely affect any rare or unique community types or any listed threatened or endangered or U.S. Forest Service (USFS) sensitive species.

The direct loss of wetland and terrestrial habitat associated with Alternative 2B will have a small effect on wildlife. However, habitat fragmentation caused by the presence of a highway, mortality from vehicle collisions, and the indirect impact of improved access for hunters and trappers resulting from Alternative 2B will have a larger impact on wildlife, particularly brown bear, moose, marten, and mountain goat.

The highway for Alternative 2B will be located within 0.5 mile of 92 bald eagle nests and within 330 feet of 49 of these nests. No nest trees will be removed, and disturbance of active nests during construction will be avoided. Use of the highway will create a persistent source of noise that may affect individual eagle pairs. This is not likely to adversely affect the overall population, as bald eagles are known to habituate to noise. In addition, food availability, the key factor influencing breeding success, will not be affected.

C. Alternative 3. West Lynn Canal Highway

Alternative 3 would extend Glacier Highway with a two-lane highway 5.2 miles from Echo Cove to Sawmill Cove. Ferry terminals would be constructed at Sawmill Cove and William Henry Bay, and shuttle ferries would operate between the two terminals. A 38.9-mile two-lane highway would be constructed from William Henry Bay to Haines with a bridge across the Chilkat Inlet connecting to Mud Bay Road. The highway would have a 30-foot pavement width, two 11-foot wide lanes and two 4-foot shoulders, and would have a minimum design speed of 40 miles per hour. The design would meet AASHTO standards for a rural arterial except for the 4-foot shoulder width, which would be an exception to the 6-foot AASHTO recommended width. The M/V *Aurora* would operate as a shuttle between Haines and Skagway. Mainline ferry service would end at Auke Bay, and the M/V *Fairweather* would no longer operate in Lynn Canal.

Alternative 3 would meet many of the elements of purpose and need for the project but to a lesser extent than Alternative 2B. Alternative 3 would increase summer capacity through the Lynn Canal corridor to 1,098 vehicles per day. In 2038 Alternative 3 would generate and accommodate a forecast demand of 530 annual ADT, which would be about 57 percent of the forecast unconstrained demand in the corridor for that year.

Flexibility and opportunity for travel with Alternative 3 would be limited by the ferry link between Sawmill Cove and William Henry Bay as well as the ferry link between Haines and Skagway. Opportunity for travel would be increased substantially over the No Action Alternative, with an average of 12 roundtrips per day between Sawmill Cove and William Henry Bay and 6 roundtrips per day between Haines and Skagway in the summer.

Travel time would be longer than for Alternative 2B and would be longer to Skagway than travel on an FVF. Travel times would be a substantial improvement over travel times on mainline ferries under the No Action Alternative. Under Alternative 3 it would take about 2.9 hours to travel from Auke Bay to Haines and 4.2 hours to travel from Auke Bay to Skagway.

Alternative 3 would have a net state cost over 35 years of \$86 million, approximately \$25 million more than the No Action Alternative and \$2 million less than Alternative 2B. Because of the higher volume of traffic forecast to use this alternative, it would have a much lower cost per vehicle to the state (\$18 based on conventional funding) than the No Action Alternative (\$45). At \$9.2 million, it would have a lower annual maintenance and operating cost than the No Action Alternative.

Total user costs would be higher for Alternative 3 than Alternative 2B because of the longer ferry links. Total user costs would be about 39 percent of the cost of travel on a mainline ferry between Juneau and Haines under the No Action Alternative, and 47 percent of the No Action Alternative cost to travel between Juneau and Skagway. The out-of-pocket costs would be 25 to 36 percent of the mainline out-of-pocket costs under the No Action Alternative. The cost of Alternative 3 to the traveler would be even less when compared to travel on an FVF. Based on estimated user benefits of \$205 million, the net present value of Alternative 3 for the 35-year analysis period would be \$32 million. This is roughly half the estimated net present value of Alternative 2B.

Alternative 3 would result in the loss of approximately 26 acres of wetlands. Approximately 83 percent of the wetlands that would be impacted for the highway alignment would be forested wetlands. This is the most common type of wetland in the project area.

Alternative 3 would result in impacts to approximately 12 acres of intertidal and subtidal habitat, primarily from construction of ferry terminals at Sawmill Cove and William Henry Bay. Construction of the Sawmill Cove Terminal would result in the direct loss of Pacific herring spawning habitat. In addition to habitat lost due to construction, short-term turbidity increases and propeller scour caused by ferry maneuvers could displace some Pacific herring eggs and larvae in the immediate vicinity of the terminal. The National Marine Fisheries Service (NMFS), the U. S. Environmental Protection Agency (EPA), and the Alaska Department of Natural Resources Office of Habitat Management and Permitting (OHMP) have expressed concern that a ferry terminal in Sawmill Cove and the resulting increased ferry traffic in Berners Bay could have adverse impacts on the depressed Lynn Canal herring stock. Special measures such as no operation of the terminal during spawning season might be necessary to avoid impacts.

Maintenance and operations of the Sawmill Cove Ferry Terminal could cause temporary disturbance to Steller sea lions and humpback whales in Berners Bay. NMFS has expressed concern that a ferry terminal at Sawmill Cove would have potential adverse direct and indirect effects on these two threatened and endangered species, and indicated that selection of Alternative 3 would necessitate formal consultation with NMFS under Section 7 of the Endangered Species Act.

Alternative 3 would result in the loss of approximately 395 acres of terrestrial habitat including 286 acres of old-growth forest, 95 acres of other forest, and 14 acres of open shrub and meadow. The loss from each vegetation type represents less than 1 percent of that type in the project study area. The loss of this vegetation would not adversely affect any rare or unique community types or any listed threatened or endangered species, or USFS sensitive species.

The direct loss of wetland and terrestrial habitat associated with Alternative 3 would have a small effect on wildlife. However, habitat fragmentation caused by the presence of a highway,

mortality from vehicle collisions, and the indirect impact of improved access for hunters and trappers resulting from Alternative 3 would have a larger impact on wildlife, particularly brown bear, moose, marten, and mountain goat.

The highway for Alternative 3 would be located within 0.5 mile of 50 bald eagle nests and within 330 feet of 24 of these nests. No nest trees would be removed, and disturbance of active nests during construction would be avoided. The highway would create a persistent source of noise that may affect individual eagle pairs. This is not likely to adversely affect the overall population as bald eagles are known to habituate to noise, and food availability, the key factor influencing breeding success, would not be affected.

Alternative 3 was not selected because it does not sufficiently meet purpose and need. It would not generate and accommodate as much traffic as Alternative 2B, nor would it reduce user costs as much. It would cost more to construct and operate. Travel times would not be as much reduced as by Alternative 2B. Alternative 3 would have impacts to fish spawning habitat that are of particular concern to resource agencies.

D. Alternatives 4A and 4C: Shuttle Ferry Service from Auke Bay to Haines and Skagway

Each of these alternatives would provide daily summer shuttle service from Auke Bay to Haines and Skagway with two new ferries. Alternative 4A would use FVFs while Alternative 4C would use conventional ferries that operate at approximately the same speed as mainline vessels. In the winter, one of the ferries would provide daily (Alternative 4A) or every other day (Alternative 4C) service to Haines and Skagway. Mainline AMHS service from Auke Bay to Haines/Skagway would continue, with two weekly trips estimated for both summer and winter service. A Haines/Skagway shuttle service would continue but the M/V *Fairweather* would no longer operate in Lynn Canal.

Alternatives 4A and 4C would make small improvements in terms of meeting the purpose and need for the project. These alternatives would increase capacity relative to the No Action Alternative; however, forecast demand for them would remain about the same as for the No Action Alternative in 2038, at 220 annual ADT for Alternative 4A and 150 annual ADT for Alternative 4C. This represents only 24 and 16 percent, respectively, of the forecast unconstrained demand in the Lynn Canal corridor in 2038. Alternative 4A would provide more than twice the FVF capacity of the No Action Alternative, allowing more travelers to use the faster, more direct shuttles.

Alternative 4A would essentially double the number of summer roundtrips/week between Auke Bay and Haines or Skagway (16/week) relative to the No Action Alternative. While this would improve travel opportunity and flexibility, it would still limit travel in the Lynn Canal corridor. In addition, travel times under Alternative 4A would remain the same as the No Action Alternative for mainline ferries and slightly worse than the No Action Alternative for FVF travel (3.8 hours for the trip between Auke Bay and Haines and 4.1 hours for the trip between Auke Bay and Skagway), although much more FVF travel opportunity would be provided.

Alternative 4C would provide essentially no improvement in travel opportunity and flexibility in the Lynn Canal corridor. The number of summer roundtrips per week between Auke Bay and Haines would increase by one and between Auke Bay and Skagway by two. Travel times on mainline ferries would remain the same as the No Action Alternative, but because this alternative would use conventional shuttle ferries, travel times on the shuttles between Auke Bay and Haines or Skagway would be almost twice as long as on the No Action Alternative FVF.

Alternatives 4A and 4C would have higher capital and operating costs for the state than the No Action Alternative, and would not reduce traveler costs. State costs per vehicle would increase. These alternatives would provide little to no improvement in capacity, travel opportunity and flexibility, or travel time but increase transportation costs in the Lynn Canal corridor. This is evident in their negative net present value of -\$56 and -\$57 million, respectively, over the 35-year analysis period.

Alternatives 4A and 4C would require minor modification of the existing Auke Bay Ferry Terminal, resulting in disturbance of less than an acre of subtidal habitat around that terminal. This would have a minor impact on EFH.

E. Alternatives 4B and 4D: Shuttle Ferry Service from Berners Bay to Haines and Skagway

These alternatives would extend Glacier Highway 5.2 miles from Echo Cove to Sawmill Cove in Berners Bay where a new ferry terminal would be constructed. Daily summer shuttle service would be provided from this new terminal to Haines and Skagway with two new ferries. In the winter, service to Haines and Skagway would be provided from the existing Auke Bay Terminal. Mainline AMHS service from Auke Bay to Haines/Skagway would continue, with two weekly trips estimated for both summer and winter service. Haines/Skagway shuttle service would continue but the *M/V Fairweather* would no longer operate in Lynn Canal. The difference between the two alternatives is that Alternative 4B would use two new fast catamaran ferries while Alternative 4D would use two new conventional ferries that operate at approximately the same speed as mainline vessels.

Alternatives 4B and 4D would make small improvements in terms of the purpose and need elements of the project. These improvements would be greater than those of Alternatives 4A and 4C, but substantially less than those of Alternatives 2B and 3. At 270 annual ADT, the forecasted demand for Alternative 4B in 2038 would only be 29 percent of the estimated unconstrained demand. Alternative 4B would provide substantially more FVF capacity. The forecasted demand for Alternative 4D is lower at 200 annual ADT, 22 percent of estimated total demand.

Travel opportunity and flexibility with Alternatives 4B and 4D would be an improvement relative to the No Action Alternative. In summer Alternative 4B would provide 30 trips per week to and from Haines and 16 trips per week to and from Skagway. Alternative 4D would provide 16 trips per week to and from both Haines and Skagway in summer.

Travel times would not improve with Alternatives 4B and 4D relative to the No Action Alternative. Travel times for each type of service (FVF shuttle and mainliner) under Alternative 4B would be essentially the same as the No Action Alternative, although under Alternative 4B travelers would have more opportunity to travel on the fast ferries. Travel by shuttle ferry under Alternative 4D would take longer than FVF travel under the No Action Alternative.

Alternatives 4B and 4D would have higher capital and operating costs for the state than the No Action Alternative, but would reduce the state cost per vehicle due to the larger number of vehicles transported and the shorter summer ferry routes involved. Alternative 4B would have a life cycle cost of \$482 million, \$130 million more than the selected alternative.

Summer total user costs would be reduced by both alternatives. In summer Alternative 4B total user costs would be 69 to 73 percent of the costs under the No Action Alternative. Alternative 4D total user costs would be 63 to 68 percent of No Action Alternative costs. Summer out-of-

pocket costs for travelers under these alternatives would range from 57 to 69 percent of the No Action Alternative costs.

Alternatives 4B and 4D would provide relatively small improvements to capacity, travel flexibility and opportunity and user costs. These alternatives would not improve travel time in the corridor. The 35 year net present value of Alternative 4B is -\$23 million, indicating that the amount of travel benefits does not outweigh the cost. Alternative 4D has a small positive net present value of \$3 million indicating that it has economic merit relative to the No Action Alternative.

Alternatives 4B and 4D would result in the loss of approximately two acres of wetlands of which about two-thirds are forested wetlands and the remainder being scrub-shrub wetlands. About 25 acres of old-growth forest and 2 acres of open meadow and shrub would also be lost from the extension of Glacier Highway proposed for these alternatives. None of this habitat loss would adversely affect any rare or unique community types or any listed threatened or endangered species, or USFS sensitive species.

Alternatives 4B and 4D would result in impacts to approximately 3 acres of intertidal and subtidal habitat from construction of the Sawmill Cove Ferry Terminal. In addition to the direct loss of Pacific herring spawning habitat from terminal construction, short-term turbidity increases and propeller/jet scour caused by ferry maneuvers could displace some Pacific herring eggs and larvae in the immediate vicinity of the terminal. The NMFS, EPA, and OHMP have expressed concern that a ferry terminal in Sawmill Cove and the resulting increased ferry traffic in Berners Bay could have adverse impacts on the Lynn Canal herring stock. Special measures such as no operation of the terminal during spawning season may be necessary to avoid impacts.

Maintenance and operations of the Sawmill Cove Ferry Terminal could cause temporary disturbance to Steller sea lions and humpback whales in Berners Bay. NMFS has expressed concern that a ferry terminal at Sawmill Cove would have potential adverse direct and indirect effects on these two threatened and endangered species, and indicated that selection of Alternative 4B or 4D would necessitate formal consultation with NMFS under Section 7 of the Endangered Species Act.

As outlined above, Alternatives 4B and 4D would make relatively small improvements with regard to the project purpose and need, and therefore neither alternative was selected.

F. Environmentally Preferred Alternative

Alternative 4C is the Environmentally Preferred Alternative. While both Alternative 4A and Alternative 4C would have few increases in potential environmental impacts relative to the No Action Alternative, Alternative 4C would have the least. Because it would use conventional shuttle ferries, it would use less diesel fuel than Alternative 4A and therefore would produce less carbon dioxide and soot, both overall and on a per-vehicle-transported basis. Due to its lower speed vessels, Alternative 4C would also have a lower potential for impacts to marine mammals and birds.

Alternative 4C would have no terrestrial impacts and no marine fill or dredge impacts in Lynn Canal. No wetlands would be filled or excavated, no streams would be crossed, and no fish or wildlife habitat would be lost or fragmented. No potential would be created for increased access related problems in currently undeveloped areas.

The Environmentally Preferred Alternative was not selected because it would not sufficiently meet the project purpose and need. While Alternative 4C would make small improvements in terms of capacity and travel opportunity, it would not reduce user costs or travel times, and would increase state and life cycle costs per vehicle relative to both the No Action Alternative and Alternative 2B, the selected alternative.

IV. Section 4(f)

The proposed action will not result in the direct or constructive use of land from any public park, recreation area, wildlife or waterfowl refuge, or significant historic site protected by Section 4(f) of the United States Department of Transportation Act of 1966, as amended.

V. Measures to Minimize Harm

The following are DOT&PF's and FHWA's commitments to mitigate impacts that will result from construction of Alternative 2B. All practicable measures to minimize environmental harm have been incorporated into the project. Some mitigation measures will be implemented during final design of Alternative 2B. In many cases, the construction contractor will implement mitigation measures. Ultimately, DOT&PF and FHWA are responsible to ensure implementation of the mitigation measures described below and more completely in Chapter 5 of the Final EIS.

A. Water Quality: Water quality protection features and best management practices (BMPs) will be incorporated into the design and construction of the highway, including measures to prevent erosion and, where appropriate, to minimize the fill footprint. Storm water treatment will be included in the project design. Specific water quality mitigation measures include:

- An erosion and sediment control plan will be prepared to describe the BMPs to be used in avoiding water quality impacts to wetlands and other water bodies. This plan will be made available to resource agencies for review and comment before being included in project plans.
- Only clean fill material (excavated rock or mineral soil) will be used for the roadway and ferry terminal embankments.
- Stakes will be installed at the planned outside limits of disturbance prior to construction to ensure that impacts are limited to that area.
- In wetland areas, the roadway will be constructed using the minimum-width fill footprint necessary to provide a stable road base.
- In wetland and other sensitive areas, to the extent feasible the roadway will be constructed with a low-profile embankment to limit the fill footprint.
- Rock will be used to stabilize the toes of slopes at ponds and stream crossings.
- Only soil or rock excavated from the construction limits or immediately adjacent to the highway will be used for highway and ferry terminal embankments.
- Grass seed will be placed on any road slope containing soil. To protect the integrity of the natural plant communities, plant species indigenous to the area will be used to vegetate road slopes, except that non-native annual grasses may be used to provide initial soil cover.
- No grubbing will be done outside of the fill footprint and only the minimum clearing required for safety would be done beyond the toe of slope.
- Silt fences will be used as appropriate to reduce erosion during construction.
- Sediment basins will be used, as necessary, during construction.

- Culverts and roadside swales will be used in appropriate locations to maintain natural flow patterns for surface water.

B. Wetlands: Wetlands were avoided to the extent practicable during preliminary design and environmental review. During final engineering design, DOT&PF will investigate additional measures to reduce potential impacts, including further small alignment changes, and changes in the footprint of the roadway, and ways to reduce the amount of material sidecast into subtidal areas. The design features and management practices outlined under Water Quality (above) also protect wetlands. Other wetland mitigation measures include:

- Embankment heights and side slopes will be minimized during design to reduce wetland footprints.
- During construction, slope limits in wetlands areas will be separately identified to ensure that workers are aware of wetlands and the need to avoid impacts beyond the slope and clearing limits.
- Any construction camps, staging sites, borrow pits, and waste areas necessary will be located in upland areas and stabilized during and after use to avoid water quality impacts to wetlands and water bodies.

DOT&PF and the FHWA propose to compensate for unavoidable adverse impacts to wetlands with a combination of an onsite, out-of-kind mitigation feature and a \$780,000 in-lieu fee. A wildlife underpass estimated to cost \$440,000 (one of two included in the project) would be constructed at an identified brown bear travel corridor near the Lace River as compensation for impacts to scrub/shrub and forested palustrine wetlands. The \$780,000 fee in lieu payment for habitat protection and/or enhancement projects will be used as compensation for impacts to intertidal and subtidal habitat, including a small estuarine emergent wetland.

The fee in lieu amount is based on \$24,000 per acre for unvegetated intertidal and shallow subtidal habitats and \$60,000 per acre for estuarine emergent wetlands. The in-lieu fee payment for impacts to intertidal and shallow subtidal habitats and estuarine emergent wetlands will be used to purchase land parcels containing high value wetlands and intertidal habitat in the project vicinity threatened by development and/or to fund habitat restoration/enhancement projects. Potential parcels and projects are being investigated and evaluated in consultation with resource agencies. If no parcels or projects are determined and agreed to prior to construction, the money will be deposited with a non-government land trust with stipulations that the funds be used as described.

C. Terrestrial Habitat: The following mitigation measures will be implemented for terrestrial habitat impacts:

- Only certified seed mixtures will be used to seed exposed soils. Soil from outside the project boundaries will not be imported to the project site. Any soil within the project boundaries identified as containing invasive species will not be transported to other areas of the project.
- Construction equipment will be steam cleaned prior to use on the project.
- To the extent practicable, shot rock slopes will be covered with overburden and seeded.

D. Intertidal and Subtidal Areas: During design, DOT&PF will investigate ways to further reduce intertidal fills, including alignment shifts and steepened slopes. DOT&PF will also investigate ways to reduce the amount of sidecast material into subtidal areas. As discussed above under Wetlands, DOT&PF and FHWA have proposed compensatory mitigation for

unavoidable impacts to unvegetated intertidal and shallow subtidal areas that will be filled by construction of Alternative 2B. Other mitigation for impacts to intertidal and subtidal habitat include:

- To the extent practicable, beach access points will be chosen to take advantage of existing landings, previously disturbed sites, or locations of planned fill. Additional necessary access points identified during construction will be sited to minimize impacts to habitat and will be restored to pre-existing condition after project completion.
- In-water work at the Katzehin ferry terminal would not occur between March 15 and June 15 to protect out-migrating salmonids.
- Breakwaters at the Katzehin ferry terminal will be constructed with gaps or large culverts to allow passage of juvenile fish near shore.
- Shuttle ferries will have wastewater holding tanks or wastewater will be treated on board to avoid discharge of waste while moored at the terminal sites.

E. Anadromous and Resident Fish Streams: Impacts to anadromous and resident fish streams have been avoided to the extent practicable through design. Additional mitigation will include:

- Bridges will cross all anadromous fish streams; anadromous fish streams that can be crossed with 130-foot or shorter bridges will not have any structure or fill in the stream channel. Anadromous fish streams that require pier supports will have the minimum possible piers using 130-foot spacing, placed to reduce impact to the streams.
- The northern channel of the Antler River identified as a eulachon spawning area will be clear-spanned to avoid impacts to fish habitat.
- In-water work at the Antler, Lace, and Katzehin rivers will not occur between March 15 and June 15 to protect out-migrating salmonids and spawning eulachon.

F. Bald Eagle: Construction activities in the vicinity of bald eagle nests will be coordinated with the U.S. Fish and Wildlife Service (USFWS) to determine the need for alignment changes (newly discovered nests), blasting plan changes, or other measures to avoid impacts to eagles. Measures to further mitigate impacts to bald eagles are:

- On-the-ground nest surveys will be conducted before clearing takes place to confirm the location of trees with eagle nests.
- No construction will occur within 330 feet of an eagle nest, and no blasting will occur within 0.5 mile of an eagle nest, during the March 1 to May 31 nest selection period unless agreed to by the USFWS. If a nest is active, no construction or blasting will occur within these distances until after August 31, unless the USFWS approves a plan to avoid impacts while operations continue.
- In areas where clearing occurs within 100 feet of a nest tree, DOT&PF and USFWS will jointly assess the potential for windthrow and DOT&PF will stabilize the tree or adjacent trees, if determined necessary.
- During construction DOT&PF and USFWS will assess the sufficiency of natural screening between the highway and any eagle nests below the elevation of the road within the 330-foot zone. Additional screening will be developed if necessary.

G. Migratory Birds: In appropriate habitats, nesting surveys for trumpeter swan and Queen Charlotte goshawk will be conducted prior to construction. Clearing will be avoided in the vicinity of active nests to the extent practicable.

H. **Wildlife:** DOT&PF will use BMPs and implement engineering design measures to reduce impacts to wildlife. Mitigation measures include:

- Planning for any camps necessary during construction of the project will include BMPs for handling food, trash, and other potential wildlife attractants to reduce impacts.
- Bridges across streams will be designed to function as wildlife underpasses where practicable. Bridges over the Lace and Antler rivers will be extended 50 feet beyond the bank to provide wildlife passage. The north end of the Katzehin River bridge will extend 100 feet beyond the bank.
- Two wildlife underpasses will be constructed at identified brown bear travel corridors on the peninsula between the Lace and Antler rivers.
- Preconstruction wolf den surveys will be conducted in consultation with the USFWS. Identified active dens will be avoided during clearing to the extent practicable.
- To facilitate ADF&G game management after project construction, DOT&PF will fund brown bear, wolverine, and moose population studies for three years. A goat population study will be conducted for four years.
- No construction will occur in April or May within one mile of identified harbor seal haulouts.
- A preconstruction survey will be completed to document the extent to which the highway alignment avoids amphibian ponds.

I. **Threatened and Endangered Species:** DOT&PF and FHWA will provide to NMFS for review and approval a detailed construction plan for work within 3,000 feet of Gran Point and Met Point Steller sea lion haulouts. The following mitigation measures will be implemented and included in construction plans:

- Trained observers will monitor for the presence of marine mammals during construction of the Katzehin Ferry Terminal. Pile driving will be halted if any marine mammals come within 660 feet (200 meters) of the activity.
- Pile driving at the Katzehin terminal and the Antler, Lace, and Katzehin rivers will be done with vibratory hammers to the extent possible. If other method of pile driving is used, DOT&PF will notify NMFS prior to its use.
- Construction within 1,000 feet of the Met Point haulout or 3,000 feet of the Gran Point haulout will occur during periods when sea lions are absent, unless authorized by the NMFS.
- Any construction within 3,000 feet of Gran Point or Met Point will include through-cuts and walls to avoid lines of sight between the haulouts and the highway and to discourage human disturbance of sea lions. Prior to beginning construction, NMFS will review and approve final detailed construction plans in these zones, including planned vegetation removal and blasting requirements. This review would include an on-site tour of the area by NMFS.
- Monitoring will occur during any construction within 3,000 feet of the Gran Point and Met Point haulouts.
- Construction within 3,000 feet of Gran Point will not occur until after NMFS reviews the results of construction and monitoring at Met Point.
- No temporary barge landings will be constructed within 3,000 feet of the Gran Point and Met Point haulouts.

- Any blasting within 3,000 feet of the Gran Point and Met Point haulouts, if occupied, will be monitored to document that ground vibrations at the haulout are no greater than 0.05 inch per second (ips) and noise levels are not greater than 45 dBA.
- During construction, helicopters will not operate within 3,000 feet of the Gran Point and Met Point haulouts if occupied.
- As large of a buffer as possible of undisturbed vegetation will be retained between the highway and the Gran Point and Met Point haulouts.
- Helicopter operations during avalanche control will be minimized to the extent practicable within a 3,000-foot radius around the Gran Point and Met Point haulouts. Helicopter avalanche control will not be conducted within 1,000 feet of the haulouts when occupied.
- To minimize recreational boating activity in the vicinity of the two haulouts, no boat launches or other boat access points will be included in the project. No tideland permits for boat launches or other boat access will be granted to landowners adjacent to the highway from Echo Cove to the Katzehin Terminal unless NMFS concurs that the activities are not likely to adversely affect sea lions.

J. Cultural Resources: Known archaeological and historical resources in the vicinity of the project will be identified in the construction plans to ensure that the contractor is aware of the need to avoid impacts to these resources. The two historic properties crossed by the highway will be flagged in the field to ensure that equipment operators do not inadvertently damage these resources. In the event that a previously unknown cultural resource is discovered during construction, work in the area will cease and DOT&PF will contact the FHWA and State Historic Preservation Officer (SHPO) and develop an approved plan before proceeding. Mitigation measures include:

- The Jualin Mine Tram and the Comet/Bear/Kensington Railroad will be bridged to avoid impacts to these historic properties.
- Before and after photographs will be provided to the SHPO for the crossings of the tram and railroad.

K. Recreation and Visitor Facilities: In agreement with USFS, DOT&PF will provide pullouts at designated locations identified by the USFS. Additional mitigation to reduce impacts to recreation and highway users includes:

- Restrooms at the Katzehin Ferry Terminal will be available to highway users as well as ferry customers.
- A DOT&PF maintained visitor facility with restrooms will be included in the maintenance facility at Comet.
- DOT&PF will maintain constructed pullouts including collection of refuse from containers supplied at these pullouts.
- The highway will be located as far from the USFS cabin in Berners Bay as the topography allows, but no less than 100 feet from mapped use areas. A handicap-accessible trail will be constructed from the highway parking area to the cabin.
- DOT&PF will construct a new remote access cabin in Berners Bay to be maintained by USFS at a location determined in consultation with USFS to mitigate impacts to remote recreation in Berners Bay.

VI. Mitigation Monitoring Measures

The following are DOT&PF's and FHWA's commitments to monitor mitigation measures following construction of the project.

- DOT&PF will continue to fund USFWS aerial surveys for a period of five years from the beginning of construction to assess the impact, if any, of the project on the Lynn Canal bald eagle population.
- Video monitoring at the Gran Point haulout and aerial and ground monitoring by trained personnel at the Met Point haulout will continue during construction and for five years after construction in these areas to determine the extent of human disturbance of sea lions. Annual reports will be provided to NMFS that describe construction activities (during the construction phase of the project), monitoring activities, and impacts or responses of Steller sea lions to these activities. At the end of the monitoring period, a final report will be provided to NMFS summarizing the project, the impacts, and the likely effects on Steller sea lions or their critical habitat.
- DOT&PF will fund a long term monitoring study to determine the effectiveness of wildlife underpasses. This study will be developed based on information gathered during the three-year brown bear study as described under Wildlife.

VII. Comments on the Final EIS

The Appendix contains substantive public, agency, and interest group comments on the Final EIS and responses to those comments as well as a summary of other comments received.

VIII. Conclusion

The Juneau Access Improvements Final EIS is in conformance with applicable provisions of 23 CFR 771 and 40 CFR 1502.2, and satisfactorily addresses the anticipated environmental impacts that will result from construction of Alternative 2B. All correspondence received on the Final EIS prior to this ROD has been reviewed (see Appendix for substantive comments on the Final EIS and responses to those comments). Based on this review, we find that there were no substantive issues or impacts not addressed.

Based on the analysis and evaluation contained in this project's Final EIS and after careful consideration of all social, economic, and environmental factors and input from the public, tribal entities, and agencies, it is my decision to select Alternative 2B as the proposed action for this project.

Apr. 3, 2006
Date


David C. Miller, Division Administrator
Federal Highway Administration

24-GS2034/C

Kurtz/Kane

5/8/06

Adopted
5/8/06

HOUSE CS FOR CS FOR SENATE BILL NO. 231(FIN)
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-FOURTH LEGISLATURE - SECOND SESSION

BY THE HOUSE FINANCE COMMITTEE

Offered:

Referred:

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 "An Act making appropriations, including capital appropriations, supplemental
2 appropriations, reappropriations, and appropriations to capitalize funds; making
3 appropriations under art. IX, sec. 17(c), Constitution of the State of Alaska, from the
4 constitutional budget reserve fund; and providing for an effective date."

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

6 (SECTION 1 OF THIS ACT BEGINS ON PAGE 2)

1 * Section 1. The following appropriation items are for capital projects and grants from the
 2 general fund or other funds as set out in section 2 of this Act by funding source to the
 3 agencies named for the purposes expressed and lapse under AS 37.25.020, unless otherwise
 4 noted.

	Appropriation	General	Other
	Allocations	Funds	Funds

	***** Department of Administration *****		

10	AIRRES Grants (HD 1-40)	50,000	50,000
11	DMV Information Technology	850,000	850,000
12	Projects and Equipment (HD		
13	1-40)		
14	Electronic Case Management	350,000	350,000
15	System (HD 1-40)		
16	Maintenance Projects fo.	3,620,000	3,620,000
17	Facilities Outside the		
18	Public Building Fund (HD		
19	1-40)		
20	Palmer Hospital Purchase	10,000,000	10,000,000
21	and Phase I Planning and		
22	Remodel (HD 13-16)		
23	It is the intent of the legislature that \$2,000,000 of this appropriation be transferred to the		
24	Alaska Court System for the Palmer Court House Expansion project.		
25	Public Building Fund	8,000,000	8,000,000
26	Facilities Projects (HD		
27	1-40)		
28	State of Alaska	10,120,000	10,120,000
29	Telecommunications System		
30	(SATS) and Alaska Land		
31	Mobile Radio (ALMR) Build		

	Appropriation		General	Other
	Allocations	Items	Funds	Funds
1				
2				
3	Out and Support Projects			
4	(HD 1-40)			
5	ETS Technology Projects	16,689,500		16,689,500
6	Emergency 911	2,689,500		
7	Compliance-Coordination			
8	Project/Network Security			
9	(HD 1-40)			
10	ETS Infrastructure Projects	4,000,000		
11	and WorkPlace Alaska			
12	Migration Project (HD 1-40)			
13	Voice Over Internet	10,000,000		
14	Protocol (VoIP) Deployment			
15	(HD 1-40)			
16	*****		*****	
17	***** Department of Commerce, Community and Economic Development			*****
18	*****		*****	
19	Borough Economic	60,000	60,000	
20	Feasibility Study Within			
21	the Model Borough			
22	Boundaries of the Middle			
23	Kuskokwim Region (HD 6)			
24	Community Block Grants (HD	6,115,000	70,000	6,045,000
25	1-40)			
26	Division of Insurance	1,352,500		1,352,500
27	Information Technology			
28	Project (HD 1-40)			
29	Energy Projects (HD 1-40)	15,200,000	1,200,000	14,000,000
30	Kodiak Launch Complex	15,000,000		15,000,000
31	Infrastructure (HD 36)			
32	Manufacturing Extension	2,681,612		2,681,612
33	Program (HD 1-40)			

	Appropriation	General	Other
	Allocations	Funds	Funds
1			
2			
3	Re-Engineering Automated	250,000	250,000
4	Business Licensing System		
5	(HD 1-40)		
6	Grants to Named Recipients		
7	(AS 37.05.316)		
8	African American Historical	30,000	30,000
9	Society - Resources,		
10	Equipment & Supplies (HD		
11	17-32)		
12	Agrium U.S., Inc. - Phase	5,000,000	5,000,000
13	II Development of the Kenai		
14	Coal Gasification Project		
15	(HD 33-35)		
16	It is the intent of the legislature that Agrium U.S. Inc., repay the grant to the State of Alaska		
17	with interest if, at the completion of Phase II, the engineering and fiscal analysis		
18	recommendations are to proceed with the complete project. The interest rate shall not exceed		
19	the prevailing interest rate for a twenty year loan at the time of the completion of Phase II and		
20	the loan period would be a term of 20 years.		
21	Airport Heights Community	10,000	10,000
22	Council - Community Patrol		
23	Supplies (HD 17-32)		
24	Alaska Air Show Association	61,000	61,000
25	- Arctic Thunder Air Show		
26	(HD 17-32)		
27	Alaska Asthma Coalition -	400,000	400,000
28	Asthma Control Program and		
29	Champ Camp Tobacco		
30	Cessation (HD 17-32)		
31	Alaska Aviation Heritage	750,000	750,000
32	Museum - Building		
33	Demolition, Facility		

		Appropriation		General	Other
		Allocations	Items	Funds	Funds
1					
2					
3	Improvements and				
4	Construction (HD 17-32)				
5	Alaska Family Services		500,000	500,000	
6	Center, Inc. - Partial				
7	Construction of the Family				
8	Services Complex (HD 13-16)				
9	Alaska Gateway School		25,000	25,000	
10	District - Eagle School				
11	Water System Upgrade (HD 6)				
12	Alaska Gateway School		10,000	10,000	
13	District - Eagle, Education				
14	Books and Materials (HD 6)				
15	Alaska Gateway School		10,000	10,000	
16	District - Mentasta,				
17	Education Books and				
18	Materials (HD 6)				
19	Alaska Gateway School		10,000	10,000	
20	District - Northway,				
21	Education Books and				
22	Materials (HD 6)				
23	Alaska Historical Society -		400,000	400,000	
24	Alaska 50 Historical				
25	Documentary on the Alaska				
26	Statehood Celebration (HD				
27	1-40)				
28	Alaska Jewish Historical		850,000	850,000	
29	Museum and Community Center				
30	(HD 17-32)				
31	Alaska Judicial Observers,		30,000	30,000	
32	Inc. - Recruit/Screen/Train				
33	Volunteers to Observe Court				

		Appropriation	General	Other
	Allocations	Items	Funds	Funds
1				
2				
3	Proceedings: Record /Report			
4	to Judicial Council (HD			
5	17-32)			
6	Alaska Mineral and Energy	50,000	50,000	
7	Resource Education Fund -			
8	Update Curriculum and			
9	Science Kits (HD 1-40)			
10	Alaska Moose Federation -	50,000	50,000	
11	Statewide Moose Safety &			
12	Rebuilding Task Force (HD			
13	1-40)			
14	Alaska Moving Image	75,000	75,000	
15	Preservation Association,			
16	Inc. - Voices and Images of			
17	Alaska Project (HD 1-40)			
18	Alaska Native Heritage	250,000	250,000	
19	Center Expansion and			
20	Improvements (HD 17-32)			
21	Alaska Siberian Research	100,000	100,000	
22	Center - Alaska Siberia WW			
23	II Lend-Lease Memorial Park			
24	Construction and Statue			
25	Installation (HD 7-11)			
26	Alaska Small Hospital and	1,000,000	1,000,000	
27	Nursing Home Association -			
28	ARTN Project (HD 1-40)			
29	Alaska State Trooper Museum	200,000	200,000	
30	- Archive Program Assistant			
31	(HD 17-32)			
32	Alaska Theater of Youth -	34,000	34,000	
33	Van Purchase and			

	Appropriation		General	Other
	Allocations	Items	Funds	Funds
1				
2				
3	Scholarships (HD 17-32)			
4	Alaska Theatre of Youth -	150,000	150,000	
5	Educational Outreach			
6	Program (HD 17-32)			
7	Alaska Traumatic Brain	35,000	35,000	
8	Injury Advisory Board -			
9	Feasibility Study for			
10	In-State Long-Term			
11	Rehabilitation Facility (HD			
12	17-32)			
13	Alaska Traumatic Brain	25,000	25,000	
14	Injury Advisory Board -			
15	Purchase and Installation			
16	of Toll-Free Support			
17	Call-In Referral Line (HD			
18	17-32)			
19	Alaska Travel Industry	750,000	750,000	
20	Association - Travel			
21	Marketing Campaign (HD 1-40)			
22	Alaska Works Partnership -	3,000,000	3,000,000	
23	Fairbanks Pipeline Training			
24	Center (HD 7-11)			
25	Alaska Zoo - Gateway	200,000	200,000	
26	Educational Complex (HD			
27	17-32)			
28	American Legion Baseball	500,000	500,000	
29	Association - Baseball			
30	Field and South Anchorage			
31	Sports Park (HD 17-32)			
32	American Red Cross of	150,000	150,000	
33	Alaska - Debt Retirement			

1	2	Appropriation		General	Other
		Allocations	Items		
3	(HD 17-32)				
4	Anchor Point Fire Service		17,000	17,000	
5	Area - ATV Brush Fire				
6	Attack Unit (HD 33-35)				
7	Anchorage Bucs Baseball		50,000	50,000	
8	Club Inc - Scoreboard				
9	Replacement Partial (HD				
10	17-32)				
11	Anchorage Parks Foundation		100,000	100,000	
12	- Chester Creek Sports				
13	Complex Parking and Vehicle				
14	Access Improvements, and				
15	Facilities Upgrades (HD				
16	17-32)				
17	Anchorage Parks Foundation		40,000	40,000	
18	- Fish Creek Trail Project				
19	(HD 17-32)				
20	Anchorage Parks Foundation		30,000	30,000	
21	- Lloyd Steele and Balto				
22	Seppala Parks Project (HD				
23	17-32)				
24	Anchorage Parks Foundation		20,000	20,000	
25	- Lyn Ary Park Improvements				
26	(HD 17-32)				
27	Anchorage Parks Foundation		100,000	100,000	
28	- Margaret Egan Sullivan				
29	Park Improvements (HD 17-32)				
30	Anchorage Parks Foundation		276,200	276,200	
31	- Spenard Recreation Center				
32	Upgrade (HD 17-32)				
33	Anchorage Sportsplex, Inc.		700,000	700,000	

	Appropriation	General	Other
	Allocations	Funds	Funds
	Items		
1			
2			
3	- Sportsplex Sports Dome		
4	(HD 17-32)		
5	Anchorage Urban League - At	50,000	50,000
6	Risk Youth Employment		
7	Training (HD 17-32)		
8	Arctic Winter Games Team	250,000	250,000
9	Alaska (HD 1-40)		
10	Armed Services YMCA of	90,000	90,000
11	Alaska - Fort Richardson		
12	Passenger Van, Elmendorf		
13	YMCA Passenger Van, One		
14	Year Fuel (HD 17-32)		
15	Assets, Inc. - Building	365,000	365,000
16	Maintenance Projects (HD		
17	17-32)		
18	Association of Alaska	5,000,000	5,000,000
19	School Boards - Consortium		
20	for Digital Learning (HD		
21	1-40)		
22	It is the intent of the legislature that the Association of Alaska School Boards Consortium for		
23	Digital Learning include instruction for responsible use of education technology.		
24	Bethel Search and Rescue -	210,000	210,000
25	Search and Rescue Building		
26	(HD 38)		
27	Big Lake Chamber of	20,000	20,000
28	Commerce - Big Lake		
29	Community-wide Reader Board		
30	(HD 13-16)		
31	Bingle Camp Ministries -	50,000	50,000
32	Camp Bingle Facilities		
33	Upgrades (HD 7-11)		

	Appropriation	General	Other
	Allocations	Funds	Funds
1			
2			
3	Boys and Girls Clubs of	50,000	50,000
4	Alaska - Flooting,		
5	Furniture and Equipment		
6	Upgrades (HD 7-11)		
7	Boys and Girls Clubs of	50,000	50,000
8	Alaska - Old Main Clubhouse		
9	Repairs and Renovation (HD		
10	7-11)		
11	Boys and Girls Clubs of	475,000	475,000
12	Alaska - SMART Moves (HD		
13	17-32)		
14	Boys and Girls Clubs of	43,800	43,800
15	Alaska - Woodland Park		
16	Clubhouse Field Maintenance		
17	Equipment (HD 17-32)		
18	Camp Fire USA: Move	450,000	450,000
19	Related Expenses (HD 17-32)		
20	Capital City Community	45,000	45,000
21	Broadcasting, Inc. -		
22	KTOO-FM & TV Elevator (HD		
23	3-4)		
24	Catholic Community Services	45,000	45,000
25	of Juneau - Vehicles and		
26	Roof and Ramp Repairs (HD		
27	3-4)		
28	Catholic Social Services -	300,000	300,000
29	Brother Francis Shelter		
30	Completion (HD 17-32)		
31	Catholic Social Services -	188,500	188,500
32	Repair and Renovation (HD		
33	17-32)		

	Appropriation	General	Other
	Allocations	Funds	Funds
	Items		
1			
2			
3	Central Peninsula Health	325,000	325,000
4	Centers, Inc. -		
5	Construction of Health		
6	Facilities (HD 33-35)		
7	Challenger Learning Center	150,000	150,000
8	- Education Assistance (HD		
9	33-35)		
10	Chatham School District -	40,000	40,000
11	Angoon Education Books and		
12	Materials (HD 5)		
13	Chatham School District -	40,000	40,000
14	Angoon Van (HD 5)		
15	Chatham School District -	30,000	30,000
16	Klukwan School		
17	Transportation (HD 5)		
18	Chickaloon Fire Service,	50,000	50,000
19	Inc. - Fire Equipment		
20	Storage Sheds Construction		
21	(HD 12)		
22	Chilkat Indian Village, IRA	750,000	625,900
23	- Jilkaat Kwaan Cultural		124,100
24	Heritage Center and Bald		
25	Eagle Observatory (HD 5)		
26	Chugiak Benefits	50,000	50,000
27	Association - Building		
28	Maintenance and Renovation		
29	(HD 13-16)		
30	Chugiak Senior Center -	1,000,000	1,000,000
31	Chugiak Senior Center,		
32	Building Maintenance and		
33	Renovation (HD 13-16)		

	Appropriation		General Funds	Other Funds
	Allocations	Items		
1				
2				
3	Cook Inlet Aquaculture	200,000	200,000	
4	Association - Northern Cook			
5	Inlet Salmon Investigation			
6	and Evaluation (HD 33-35)			
7	Cook Inlet Tribal Council,	750,000	750,000	
8	Inc. - Chanlyut Facility			
9	Renovation and Construction			
10	(HD 17-32)			
11	Cooper Landing Senior	30,000	30,000	
12	Citizens Corporation - Fire			
13	Dept. Utility Extension for			
14	Senior Housing Project (HD			
15	33-35)			
16	Copper River Native	50,000	50,000	
17	Association - Hudson Lake			
18	Healing Camp (HD 6)			
19	Council for Athabaskan	25,000	25,000	
20	Tribal Governments - Yukon			
21	Flats Visitor Center (HD 6)			
22	Covenant House- New	155,000	155,000	
23	Facility Needs Assessment			
24	(HD 17-32)			
25	Deltana Community	209,000	209,000	
26	Corporation - Souhrada Road			
27	Improvements (HD 12)			
28	Dimond High School Alumni	750,000	750,000	
29	Association - Dimond High			
30	School Installation of			
31	Artificial Athletic Sports			
32	Field (HD 17-32)			
33	Ester Volunteer Fire	200,000	200,000	

	Appropriation		General	Other
	Allocations	Items	Funds	Funds
1				
2				
3	Department - Parks Highway			
4	Fire Station Addition (HD			
5	7-11)			
6	Fairbanks Armed Services	20,000	20,000	
7	YMCA - Van Maintenance (HD			
8	7-11)			
9	Fairbanks Community Food	50,000	50,000	
10	Bank - Warehouse Remodel			
11	(HD 7-11)			
12	Fairbanks Drama Association	25,000	25,000	
13	- Theater Renovation &			
14	Repair, ADA Compliance (HD			
15	7-11)			
16	Fairbanks Goldstream Valley	175,000	175,000	
17	Lions Club - Goldstream			
18	Valley Park (HD 7-11)			
19	Fairbanks Memorial Hospital	150,000	150,000	
20	- Golden Heart Detox			
21	Construction (HD 7-11)			
22	Fairbanks Resource Agency -	100,000	100,000	
23	Adult Day Center Expansion			
24	(HD 7-11)			
25	Fairbanks Soil and Water	74,000	74,000	
26	Conservation District -			
27	Chena Slough Project (HD			
28	7-11)			
29	Fairbanks Soil and Water	10,000	10,000	
30	Conservation District -			
31	Noxious Weed Project (HD			
32	7-11)			
33	Fairbanks Volunteers in	100,000	100,000	

	Appropriation	General	Other
	Allocations	Funds	Funds
	Items		
1 Policing - Meth Watch			
2 Program (HD 7-11)			
3 Fairbanks Youth Sports -	100,000	100,000	
4 South Davis Park Phase II			
5 of Softball and Soccer			
6 Fields. (HD 7-11)			
7 Family Centered Services of	960,000	960,000	
8 Alaska, Inc. - Construction			
9 of Six New Therapeutic			
10 Youth Homes (HD 7-11)			
11 Federation of Community	2,500	2,500	
12 Councils - Mt View			
13 Community Patrol (HD 17-32)			
14 Federation of Community	2,500	2,500	
15 Councils - Northeast			
16 Anchorage Patrol (HD 17-32)			
17 Federation of Community	2,500	2,500	
18 Councils - Nunaka Valley			
19 Patrol (HD 17-32)			
20 Federation of Community	2,500	2,500	
21 Councils - Russian Jack			
22 Patrol (HD 17-32)			
23 Federation of Community	150,000	150,000	
24 Councils, Inc. - Chugiak/			
25 Eagle River Consortium -			
26 Title 21 Document Prep (HD			
27 17-32)			
28 Federation of Community	3,200	3,200	
29 Councils, Inc. - Fairview			
30 Community Patrol Equipment			
31 Purchases (HD 17-32)			

1	2	Appropriation		General	Other
		Allocations	Items	Funds	Funds
3	Funny River Community		100,000	100,000	
4	Center - Planning and				
5	Construction (HD 33-35)				
6	Girdwood Inc. - Girdwood		15,000	15,000	
7	Little Bears Community				
8	Playground (HD 17-32)				
9	Great Alaska Council, Boy		200,000	200,000	
10	Scouts of America - Eagle				
11	River Scout Camp Cabins (HD				
12	3-4)				
13	Gustavus Electric Company -		1,150,000	1,150,000	
14	Falls Creek Hydro Project				
15	(HD 5)				
16	Hollis Community Council -		50,000	50,000	
17	Survey, Legal and Admin				
18	Costs, Phase 1 Land				
19	Acquisition Project for				
20	Community Facilities. (HD 1)				
21	Homer Electric Association,		250,000	250,000	
22	Inc. - Beetle-Killed Tree				
23	Removal on State Land (HD				
24	33-35)				
25	Homer Senior Center - Land		50,000	50,000	
26	Purchase for New Senior				
27	Homes (HD 33-35)				
28	Hoop Time - Valley		10,000	10,000	
29	Recreation Facility				
30	Planning and Design (HD 3-4)				
31	Hope Community Resources,		300,000	300,000	
32	Inc. - Facilities Repairs				
33	(HD 1-40)				

	Appropriation		General	Other
	Allocations	Items	Funds	Funds
1				
2				
3	Hope Inc. - Community	50,000	50,000	
4	Safety, Planning and Public			
5	Facility Development (HD			
6	17-32)			
7	Hospice of the Central	10,000	10,000	
8	Peninsula - Equipment			
9	Replacement (HD 33-35)			
10	ICC Alaska - Inuit	100,000	100,000	
11	Circumpolar Conference/			
12	Barrow Meeting (HD 40)			
13	Ice Alaska - Ice Park	2,000,000	2,000,000	
14	Facilities, Event (HD 7-11)			
15	Inside Passage Electric	2,000,000	2,000,000	
16	Cooperative-Chilkat Valley			
17	Project Debt Reimbursement			
18	(HD 5)			
19	Institute of the North (HD	75,000	75,000	
20	1-40)			
21	Interior Baseball League -	10,000	10,000	
22	Temporary Field Relocation			
23	Costs (HD 7-11)			
24	Juneau Archery Club -	20,000	20,000	
25	Juneau Archery Center (HD			
26	3-4)			
27	Juneau Economic Development	50,000	50,000	
28	Council - Knowledge			
29	Industry Network (HD 3-4)			
30	Juneau Family Birth Center	300,000	300,000	
31	(HD 3-4)			
32	Juneau Youth Services -	45,000	45,000	
33	Vehicle Purchase (HD 3-4)			

	Appropriation		General	Other
	Allocations	Items	Funds	Funds
1				
2				
3	Kappa Alpha PSI Alumni	28,900	28,900	
4	Foundation - After School			
5	Tutorial Program (HD 17-32)			
6	Kenai Boys and Girls Club -	10,000	10,000	
7	Building Improvements and			
8	Furnishings (HD 33-35)			
9	Kenai Little League - Field	35,000	35,000	
10	Improvements (HD 33-35)			
11	Kenai Peninsula Food Bank -	15,000	15,000	
12	Building Maintenance and			
13	Storage (HD 33-35)			
14	Ketchikan Area Arts and	25,000	25,000	
15	Humanities Council			
16	Ketchikan - Ketchikan			
17	Community Band (HD 1)			
18	Ketchikan General Hospital	30,200	30,200	
19	- 2 Neonatal Resuscitator			
20	Units (HD 1)			
21	Ketchikan Little League	44,500	44,500	
22	Baseball, Inc. - Indoor			
23	batting cage (HD 1)			
24	Ketchikan Rod & Gun Club -	119,500	119,500	
25	Rod and Gun Club			
26	Improvements (HD 1)			
27	Kineaid Project Group -	1,500,000	1,500,000	
28	Kineaid Park Summer and			
29	Winter Recreations			
30	Improvements (HD 17-32)			
31	King Career Center - AGC	1,000,000	1,000,000	
32	Construction Trades Academy			
33	Program (HD 17-32)			

	Appropriation		General	Other
	Allocations	Items	Funds	Funds
1				
2				
3	Life Alaska Donor Services	750,000	750,000	
4	- Building Purchase and			
5	Remodel (HD 17-32)			
6	Life Alaska Donor Services	30,000	30,000	
7	- Organ Donor Program (HD			
8	1-40)			
9	LOVE, Inc. - Homes of Hope,	2,500	2,500	
10	Transitional Housing			
11	Planning and Design (HD 3-4)			
12	LOVE, Inc. - New Facility	100,000	100,000	
13	Construction (HD 7-11)			
14	Marine Exchange of Alaska -	350,000	350,000	
15	Communications Sites and			
16	System Upgrades (HD 1-40)			
17	Matanuska Valley Sportsmen,	200,000	200,000	
18	Inc. - Matanuska-Susitna			
19	Valley Sportsmen Shooting			
20	Range Heating & Ventilation			
21	Upgrade (HD 13-16)			
22	MATSAR ATV Search and	13,295	13,295	
23	Rescue - Equipment Upgrade			
24	and Replacement (HD 13-16)			
25	MATSAR ATV Search and	7,500	7,500	
26	Rescue - SATCOM Satellite			
27	Communications (HD 13-16)			
28	Meadow Lakes Community	47,000	47,000	
29	Center - New Multi-use			
30	Community Center Building			
31	(HD 13-16)			

32 The appropriation to Meadow Lakes Community Center for a new multi-use community
33 building is restricted to direct expenditures for survey and subdivision, environmental and

	Appropriation		General Funds	Other Funds
	Allocations	Items		
1				
2				
3	soils reports, legal, recording, title and permits expenses.			
4	Mid-Valley Seniors, Inc. -	5,000	5,000	
5	Replace Carpet in Entrance			
6	and Activity Room (HD 13-16)			
7	Mid-Valley Seniors, Inc. -	10,000	10,000	
8	Septic System Maintenance			
9	(HD 13-16)			
10	Midnight Sun Council, Boy	120,000	120,000	
11	Scouts of America - Lost			
12	Lake Scout Camp			
13	Improvements (HD 12)			
14	Moose Pass Sportsmen's Club	30,000	30,000	
15	- Community Center Kitchen			
16	Upgrades and Bandstand Area			
17	(HD 33-35)			
18	Morris Thompson Cultural	2,000,000	2,000,000	
19	and Visitor Center -			
20	Construction (HD 7-11)			
21	National Association for	14,200	14,200	
22	the Advancement of Colored			
23	People - ACT-SO Technology			
24	Upgrade (HD 17-32)			
25	National Association for	30,000	30,000	
26	the Advancement of Colored			
27	People - ACT-SO Van			
28	Purchase (HD 17-32)			
29	National Veterans	100,000	100,000	
30	Wheelchair Games - Disabled			
31	Veterans Recreational			
32	Fishing Activities (HD			
33	33-35)			

		Appropriation		General	Other
		Allocations	Items	Funds	Funds
1					
2					
3	Nelchina/Mendeltna		25,000	25,000	
4	Community Corporation -				
5	Solid Waste Removal and				
6	Repair (HD 12)				
7	Ninilchik Fair Association		75,000	75,000	
8	- Kenai Peninsula State				
9	Fairgrounds Renovations (HD				
10	33-35)				
11	Ninilchik Senior Citizens,		65,000	65,000	
12	Inc. - Ninilchik Senior				
13	Center Furnace Replacement/				
14	Conversion (HD 33-35)				
15	North Star Council On Aging		125,000	125,000	
16	- Van Acquisition (HD 7-11)				
17	Omega Post Secondary		22,200	22,200	
18	Preparatory Program -				
19	Future Achievers of Math				
20	Excellence (FAME) (HD 17-32)				
21	Palmer Senior Citizens		350,000	350,000	
22	Center - Palmer Senior				
23	Citizens Center				
24	Improvements (HD 13-16)				
25	Paratransit Services -		100,000	100,000	
26	AnchorRIDE Fleet				
27	Replacement Parts and				
28	Maintenance (HD 17-32)				
29	Partners for Progress -		100,000	100,000	
30	Wellness Courts (HD 17-32)				
31	Perseverance Theatre -		25,000	25,000	
32	Building Renovation and				
33	Repair (HD 3-4)				

	Appropriation	General	Other
	Allocations	Funds	Funds
1			
2			
3	Presbyterian Hospitality	20,000	20,000
4	House - Transitional Center		
5	for Village Residents (HD		
6	7-11)		
7	Russian Jack Community	5,000	5,000
8	Council - Russian Jack		
9	Community Patrol Equipment		
10	(HD 17-32)		
11	Russian Jack Community	20,000	20,000
12	Council - Williwaw Park		
13	Upgrade (HD 17-32)		
14	Salcha Fair Association -	30,200	30,200
15	Safety Improvements and		
16	Equipment (HD 12)		
17	Seldovia Village Tribe -	1,500,000	1,500,000
18	Kachemak Bay Ferry and		
19	Docking Facilities (HD		
20	33-35)		
21	Senior Citizen Support	2,500	2,500
22	Services, Inc. -		
23	Feasibility Study for		
24	Senior Assisted Living		
25	Facilities (HD 3-4)		
26	Senior Citizens of Kodiak,	10,000	10,000
27	Inc. - Furniture and		
28	Equipment (HD 36)		
29	Skwetna Airport - Airport	2,500	2,500
30	Upgrade (HD 13-16)		
31	Soldotna Area Senior	50,000	50,000
32	Citizens, Inc. - Heating		
33	System Upgrade (HD 33-35)		

		Appropriation	General	Other
		Allocations	Funds	Funds
1				
2				
3	Soldotna Little League -	38,000	38,000	
4	Field Improvements (HD			
5	33-35)			
6	South Anchorage Hockey	100,000	100,000	
7	Association/ Mighty Moose -			
8	Zamboni Replacement (HD			
9	17-32)			
10	South Peninsula Hospital -	10,000	10,000	
11	Respiratory Support			
12	Equipment for Newborns (HD			
13	33-35)			
14	Southeast Alaska Guidance	50,000	50,000	
15	Association - Facility			
16	Repairs, Driveway and ADA			
17	improvements, and			
18	Weatherization (HD 3-4)			
19	Southeast Alaska	40,000	40,000	
20	Independent Living, Inc. -			
21	Interpreter Referral Line			
22	(HD 3-4)			
23	Southeast Alaska	75,000	75,000	
24	Independent Living, Inc. -			
25	Twin Lakes Park Project			
26	Playground (HD 3-4)			
27	Southeast Conference -	100,000	100,000	
28	Region-wide Energy Program			
29	(HD 5)			
30	Special Olympics Alaska -	250,000	250,000	
31	Facility Completion and			
32	Statewide Training (HD 1-40)			
33	St. Vincent de Paul Society	250,000	250,000	